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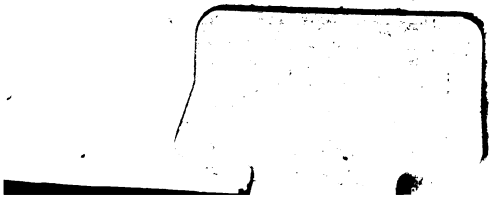

JOURNAL

OF THE

SENATE OF THE UNITED STATES

OF AMERICA:

BEING

THE SECOND SESSION OF THE THIRTIETH CONGRESS,

BEGUN AND HELD

AT THE CITY OF WASHINGTON,

DECEMBER 4, 1848,

IN THE SEVENTY-THIRD YEAR OF THE INDEPENDENCE OF THE UNITED STATES.

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CONGRESS OF THE UNITED STATES.

The SECOND SESSION OF THE THIRTIETH CONGRESS commenced this day, conformably to the constitution of the United States; and the Senate assembled at the city of Washington,

MONDAY, DECEMBER 4, 1848.

PRESENT:

From the State of New Hampshire,

The honorable { Charles G. Atherton, / John P. Hale.

From the State of Massachusetts,

The honorable John Davis.

From the State of Rhode Island and Providence Plantations,

The honorable John H. Clarke.

From the State of Connecticut,

The honorable Roger S. Baldwin.

From the State of Vermont,

The honorable { Samuel S. Phelps, / William Upham.

From the State of New York,

The honorable { Daniel S, Dickinson, / John A. Dix.

From the State of Pennsylvania,

The honorable { Simon Cameron, / Daniel Sturgeon.

From the State of Delaware,

The honorable Presley Spruance.

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From the State of Maryland,

The honorable Reverdy Johnson.

From the State of Virginia,

The honorable { Robert M. T. Hunter,
James M. Mason.

From the State of North Carolina,

The honorable George E. Badger.

From the State of South Carolina,

The honorable Andrew P. Butler.

From the State of Georgia,

The honorable John McPherson Berrien.

From the State of Kentucky,

The honorable { Thomas Metcalfe,
Joseph R. Underwood.

From the State of Tennessee,

The honorable { John Bell,
Hopkins L. Turney.

From the State of Ohio,

The honorable { William Allen,
Thomas Corwin.

From the State of Louisiana,

The honorable { Solomon W. Downs,
Henry Johnson.

From the State of Mississippi,

The honorable { Jefferson Davis,
Henry S. Foote.

From the State of Illinois,

The honorable { Stephen A. Douglas,
Sidney Breese.

From the State of Alabama,

The honorable William R. King.

From the State of Maine,

The honorable { James W. Bradbury, Hannibal Hamlin.

From the State of Missouri,

The honorable { David R. Atchison, Thomas H. Benton.

From the State of Michigan,

The honorable { Alpheus Felch, Thomas Fitzgerald.

From the State of Florida,

The honorable James D. Westcott, jr.

From the State of Texas,

The honorable Sam Houston.

From the State of Wisconsin,

The honorable { Henry Dodge, Isaac P. Walker.

The honorable David R. Atchison, President pro tempore, resumed the chair.

On motion by Mr. Breese,

Ordered, That the Secretary acquaint the House of Representatives that a quorum of the Senate has assembled, and that the Senate is ready to proceed to business.

On motion by Mr. Bradbury,

Ordered, That the daily hour of meeting of the Senate be twelve o'clock, meridian, until otherwise ordered.

Mr. Cameron submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That each Senator be supplied, during the present session, with newspspers, as heretofore, not exceeding the cost of four daily papers.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: I am directed to inform the Senate that a quorum

of the House of Representatives has assembled, and that the House is ready to proceed to business.

The House of Representatives have passed a resolution for the appointment of a joint committee to wait on the President of the United States and inform him that a quorum of each House has assembled, and that Congress are ready to receive any communication he may be pleased to make; and Mr. Wentworth, Mr. Rockwell, and Mr. Shepperd have been appointed the committee on their part.

The Senate proceeded to consider the resolution of the House of Representatives for the appointment of a joint committee to wait on the President of the United States and inform him that a quorum of each House has assembled, and that Congress are ready to receive any communication he may be pleased to make; and,

Resolved, That they concur therein.

On motion by Mr. King,

Ordered, That the committee be appointed by the President of the Senate pro tempore; and

Mr. King and Mr. Davis, of Massachusetts, were appointed.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion,

The Senate adjourned.

TUESDAY, December 5, 1848.

The honorable George M. Dallas, Vice President of the United States and President of the Senate, resumed the chair.

The honorable Jesse D. Bright, from the State of Indiana; the honorable William L. Dayton and the honorable Jacob W. Miller, from the State of New Jersey; the honorable James A. Pearce, from the State of Maryland; and the honorable John M. Niles, from the State of Connecticut, attended.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a resolution for the election of two chaplains, of different denominations, one by each House, to serve during the present session, who shall interchange weekly; in which they request the concurrence of the Senate.

Mr. King, from the committee appointed on the part of the Senate, jointly with the committee on the part of the House of Representatives, to wait on the President of the United States and notify him that a quorum of each House has assembled, and that Congress are ready to receive any communication he may be pleased to make, reported that the committee had performed the duty assigned them, and that the President replied he would make a communication to the two Houses at 12 o'clock this day.

The following message was received from the President of the *United States, by Mr. Walker*, his secretary:

Fellow-citizens of the Senate
and of the House of Representatives:

Under the benignant Providence of Almighty God, the representatives of the States and of the people are again brought together to deliberate for the public good. The gratitude of the nation to the sovereign arbiter of all human events, should be commensurate with the boundless blessings which we enjoy.

Peace, plenty, and contentment reign throughout our borders, and our beloved country presents a sublime moral spectacle to the world.

The troubled and unsettled condition of some of the principal European powers has had a necessary tendency to check and embarrass trade, and to depress prices throughout all commercial nations; but notwithstanding these causes, the United States, with their abundant products, have felt their effects less severely than any other country, and all our great interests are still prosperous and successful.

In reviewing the great events of the past year, and contrasting the agitated and disturbed state of other countries with our own tranquil and happy condition, we may congratulate ourselves that we are the most favored people on the face of the earth. While the people of other countries are struggling to establish free institutions, under which man may govern himself, we are in the actual enjoyment of them—a rich inheritance from our fathers. While enlightened nations of Europe are convulsed and distracted by civil war or intestine strife, we settle all our political controversies by the peaceful exercise of the rights of freemen at the ballot-box. The great republican maxim so deeply engraven on the hearts of our people, that the will of the majority, constitutionally expressed, shall prevail, is our sure safeguard against force and violence. It is a subject of just pride, that our fame and character as a nation continue rapidly to advance in the estimation of the civilized world. To our wise and free institutions it is to be attributed, that while other nations have achieved glory at the price of the suffering, distress, and impoverishment of their people, we have won our honorable position in the midst of an uninterrupted prosperity, and of an increasing individual comfort and happiness. I am happy to inform you that our relations with all nations are friendly and pacific. Advantageous treaties of commerce have been concluded within the last four years with New Grenada, Peru, the Two Sicilies, Belgium, Hanover, Oldenburg, and Mecklenburg-Schwerin. Pursuing our example, the restrictive system of Great Britain, our principal foreign customer, has been relaxed; a more liberal commercial policy has been adopted by other enlightened nations, and our trade has been greatly enlarged and extended. Our country stands higher in the respect of the world than at any former period. To continue to occupy this proud position, it is only necessary to preserve peace, and faithfully adhere to the great and fundamental principle of our foreign policy, of non-interference in the

domestic concerns of other nations. We recognise in all nations the right which we enjoy ourselves, to change and reform their political institutions according to their own will and pleasure. Hence we do not look behind existing governments, capable of maintaining their own authority. We recognise all such actual governments, not only from the dictates of true policy, but from a sacred regard for the independence of nations.

While this is our settled policy, it does not follow that we can ever be indifferent spectators of the progress of liberal principles. The government and people of the United States hailed with enthusiasm and delight the establishment of the French republic, as we now hail the efforts in progress to unite the States of Germany in a confederation, similar in many respects to our own federal Union. If the great and enlightened German States, occupying, as they do, a central and commanding position in Europe, shall succeed in establishing such a confederated government, securing at the same time to the citizens of each State local governments adapted to the peculiar condition of each, with unrestricted trade and intercourse with each other, it will be an important era in the history of human events. Whilst it will consolidate and strengthen the power of Germany, it must essentially promote the cause of peace, commerce, civilization, and constitutional liberty throughout the world.

With all the governments on this continent our relations, it is believed, are now on a more friendly and satisfactory footing than they have ever been at any former period.

Since the exchange of ratifications of the treaty of peace with Mexico, our intercourse with the government of that republic has been of the most friendly character. The envoy extraordinary and minister plenipotentiary of the United States to Mexico has been received and accredited, and a diplomatic representative from Mexico of similar rank has been received and accredited by this government. The amicable relations between the two countries which had been suspended have been happily restored, and are destined, I trust, to be long preserved. The two republics, both situated on this continent, and with coterminous territories, have every motive of sympathy and of interest to bind them together in perpetual amity.

This gratifying condition of our foreign relations renders it unnecessary for me to call your attention more specifically to them.

It has been my constant aim and desire to cultivate peace and commerce with all nations. Tranquillity at home and peaceful relations abroad constitute the true permanent policy of our country. War, the scourge of nations, sometimes becomes inevitable, but is always to be avoided when it can be done consistently with the rights and honor of a nation.

One of the most important results of the war into which we were recently forced with a neighboring nation, is the demonstration it has afforded of the military strength of our country. Before the late war with Mexico, European and other foreign powers enter-

tained imperfect and erroneous views of our physical strength as a nation, and of our ability to prosecute war, and especially a war waged out of our own country. They saw that our standing army on the peace establishment did not exceed ten thousand men. Accustomed themselves to maintain in peace large standing armies for the protection of thrones against their own subjects, as well as against foreign enemies, they had not conceived that it was possible for a nation without such an army, well disciplined and of long service, to wage war successfully. They held in low repute our militia, and were far from regarding them as an effective force, unless it might be for temporary defensive operations when invaded on our own soil. The events of the late war with Mexico have not only undeceived them, but have removed erroneous impressions which prevailed to some extent even among a portion of our own countrymen. That war has demonstrated, that upon the breaking out of hostilities not anticipated, and for which no previous preparation had been made, a volunteer army of citizen soldiers equal to veteran troops, and in numbers equal to any emergency, can in a short period be brought into the field. Unlike what would have occurred in any other country, we were under no necessity of resorting to draughts or conscriptions. On the contrary, such was the number of volunteers who patriotically tendered their services, that the chief difficulty was in making selections and determining who should be disappointed and compelled to remain at home. Our citizen-soldiers are unlike those drawn from the population of any other country. They are composed indiscriminately of all professions and pursuits: of farmers, lawyers, physicians, merchants, manufacturers, mechanics, and laborers; and this, not only among the officers, but the private soldiers in the ranks. Our citizen-soldiers are unlike those of any other country in other respects. They are armed, and have been accustomed from their youth up to handle and use fire-arms; and a large proportion of them, especially in the western and more newly-settled States, are expert marksmen. They are men who have a reputation to maintain at home by their good conduct in the field. They are intelligent, and there is an individuality of character which is found in the ranks of no other army. In battle, each private man, as well as every officer, fights not only for his country, but for glory and distinction among his fellow-citizens when he shall return to civil life.

The war with Mexico has demonstrated not only the ability of the government to organize a numerous army upon a sudden call, but also to provide it with all the munitions and necessary supplies with despatch, convenience, and ease, and to direct its operations with efficiency. The strength of our institutions has not only been displayed in the valor and skill of our troops engaged in active service in the field, but in the organization of those executive branches which were charged with the general direction and conduct of the war. While too great praise cannot be bestowed upon the officers and men who fought our battles, it would be unjust to

withhold from those officers necessarily stationed at home, who were charged with the duty of furnishing the army, in proper time and at proper places, with all the munitions of war and other supplies so necessary to make it efficient, the commendation to which they are entitled. The credit due to this class of our officers is the greater, when it is considered that no army in ancient or modern times was ever better appointed or provided than our army in Mexico. Operating in an enemy's country, removed two thousand miles from the seat of the federal government, its different corps spread over a vast extent of territory, hundreds, and even thousands of miles apart from each other, nothing short of the untiring vigilance and extraordinary energy of these officers could have enabled them to provide the army at all points, and in proper season, with all that was required for the most efficient service.

It is but an act of justice to declare that the officers in charge of the several executive bureaus, all under the immediate eye and supervision of the Secretary of War, performed their respective duties with ability, energy, and efficiency. They have reaped less of the glory of the war, not having been personally exposed to its perils in battle, than their companions in arms; but, without their forecast, efficient aid, and co operation, those in the field would not have been provided with the ample means they possessed of achieving for themselves and their country the unfading honors which they have won for both.

When all these facts are considered, it may cease to be a matter of so much amazement abroad how it happened that our noble army in Mexico, regulars and volunteers, were victorious upon every battle-field, however fearful the odds against them.

The war with Mexico has thus fully developed the capacity of republican governments to prosecute successfully a just and necessary foreign war with all the vigor usually attributed to more arbitrary forms of government. It has been usual for writers on public law to impute to republics a want of that unity, concentration of purpose, and vigor of execution, which are generally admitted to belong to the monarchical and aristocratic forms; and this feature of popular government has been supposed to display itself more particularly in the conduct of a war carried on in an enemy's territory. The war with Great Britain, in 1812, was to a great extent confined within our own limits, and shed but little light on this subject. But the war which we have just closed by an honorable peace evinces, beyond all doubt, that a popular representative government is equal to any emergency which is likely to arise in the affairs of a nation.

The war with Mexico has developed most strikingly and conspicuously another feature in our institutions. It is that, without cost to the government or danger to our liberties, we have in the bosom of our society of freemen, available in a just and necessary war, virtually a standing army of two millions of armed citizen-soldiers, such as fought the battles of Mexico.

But our military strength does not consist alone in our capacity

for extended and successful operations on land. The navy is an important arm of the national defence. If the services of the navy were not so brilliant as those of the army in the late war with Mexico, it was because they had no enemy to meet on their own element. While the army had opportunity of performing more conspicuous service, the navy largely participated in the conduct of the war. Both branches of the service performed their whole duty to the country. For the able and gallant services of the officers and men of the navy—acting independently as well as in co-operation with our troops—in the conquest of the Californias, the capture of Vera Cruz, and the seizure and occupation of other important positions on the Gulf and Pacific coasts, the highest praise is due. Their vigilance, energy and skill, rendered the most effective service in excluding munitions of war and other supplies from the enemy, while they secured a safe entrance for abundant supplies for our own army. Our extended commerce was nowhere interrupted; and for this immunity from the evils of war, the country is indebted to the navy.

High praise is due to the officers of the several executive bureaus, navy yards, and stations connected with the service, all under the immediate direction of the Secretary of the Navy, for the industry, foresight, and energy with which everything was directed and furnished to give efficiency to that branch of the service. The same vigilance existed in directing the operations of the navy as of the army. There was concert between the heads of the two arms of the service. By the orders which were from time to time issued, our vessels of war on the Pacific and the Gulf of Mexico were stationed in proper time and in proper positions to co-operate efficiently with the army. By this means their combined power was brought to bear successfully on the enemy.

The great results which have been developed and brought to light by this war will be of immeasurable importance in the future progress of our country. They will tend powerfully to preserve us from foreign collisions, and to enable us to pursue uninterruptedly our cherished policy of "peace with all nations, entangling alliances with none."

Occupying, as we do, a more commanding position among nations than at any former period, our duties and our responsibilities to ourselves and to posterity are correspondingly increased. This will be the more obvious when we consider the vast additions which have been recently made to our territorial possessions, and their great importance and value.

Within less than four years the annexation of Texas to the Union has been consummated; all conflicting title to the Oregon Territory south of the forty-ninth degree of north latitude, being all that was insisted on by any of my predecessors, has been adjusted; and New Mexico and Upper California have been acquired by treaty. The area of these several territories, according to a report carefully prepared by the Commissioner of the General Land Office from the most authentic information in his possession, and which is herewith

transmitted, contains one million one hundred and ninety-three thousand and sixty-one square miles, or seven hundred and sixty-three million five hundred and fifty-nine thousand and forty acres; while the area of the remaining twenty-nine States, and the territory not yet organized into States east of the Rocky mountains, contains two million fifty-nine thousand five hundred and thirteen square miles, or thirteen hundred and eighteen million one hundred and twenty-six thousand and fifty-eight acres. These estimates show that the territories recently acquired, and over which our exclusive jurisdiction and dominion have been extended, constitute a country more than half as large as all that which was held by the United States before their acquisition. If Oregon be excluded from the estimate, there will still remain within the limits of Texas, New Mexico, and California, eight hundred and fifty-one thousand five hundred and ninety-eight square miles, or five hundred and forty-five million twelve thousand seven hundred and twenty acres; being an addition equal to more than one-third of all the territory owned by the United States before their acquisition; and, including Oregon, nearly as great an extent of territory as the whole of Europe, Russia only excepted. The Mississippi, so lately the frontier of our country, is now only its centre. With the addition of the late acquisitions, the United States are now estimated to be nearly as large as the whole of Europe. It is estimated by the superintendent of the coast survey, in the accompanying report, that the extent of the seacoast of Texas on the Gulf of Mexico is upwards of four hundred miles; of the coast of Upper California, on the Pacific, of nine hundred and seventy miles; and of Oregon, including the Straits of Fuca, of six hundred and fifty miles; making the whole extent of seacoast on the Pacific one thousand six hundred and twenty miles, and the whole extent on both the Pacific and the Gulf of Mexico two thousand and twenty miles. The length of the coast on the Atlantic, from the northern limits of the United States, around the capes of Florida to the Sabine, on the eastern boundary of Texas, is estimated to be three thousand one hundred miles: so that the addition of seacoast, including Oregon, is very nearly two-thirds as great as all we possessed before; and excluding Oregon, is an addition of one thousand three hundred and seventy miles; being nearly equal to one half of the extent of coast which we possessed before these acquisitions. We have now three great maritime fronts—on the Atlantic, the Gulf of Mexico, and the Pacific—making in the whole an extent of seacoast exceeding five thousand miles. This is the extent of the seacoast of the United States, not including bays, sounds, and small irregularities of the main shore, and of the sea islands. If these be included, the length of the shore line of coast, as estimated by the superintendent of the coast survey in his report, would be thirty-three thousand and sixty-three miles.

It would be difficult to calculate the value of these immense additions to our territorial possessions. Texas, lying contiguous to the western boundary of Louisiana, embracing within its limits a

part of the navigable tributary waters of the Mississippi and an extensive seacoast, could not long have remained in the hands of a foreign power without endangering the peace of our southwestern frontier. Her products in the vicinity of the tributaries of the Mississippi must have sought a market through these streams, running into and through our territory; and the danger of irritation and collision of interests between Texas as a foreign State and ourselves would have been imminent, while the embarrassments in the commercial intercourse between them must have been constant and unavoidable. Had Texas fallen into the hands, or under the influence and control of a strong maritime or military foreign power, as she might have done, these dangers would have been still greater. They have been avoided by her voluntary and peaceful annexation to the United States. Texas, from her position, was a natural and almost indispensable part of our territories. Fortunately, she has been restored to our country, and now constitutes one of the States of our confederacy, "upon an equal footing with the original States." The salubrity of climate, the fertility of soil, peculiarly adapted to the production of some of our most valuable staple commodities, and her commercial advantages, must soon make her one of our most populous States.

New Mexico, though situated in the interior and without a seacoast, is known to contain much fertile land, to abound in rich mines of the precious metals, and to be capable of sustaining a large population. From its position, it is the intermediate and connecting territory between our settlements and our possessions in Texas, and those on the Pacific coast.

Upper California, irrespective of the vast mineral wealth recently developed there, holds at this day, in point of value and importance to the rest of the Union, the same relation that Louisiana did when that fine territory was acquired from France forty-five years ago. Extending nearly ten degrees of latitude along the Pacific, and embracing the only safe and commodious harbors on that coast for many hundred miles, with a temperate climate and an extensive interior of fertile lands, it is scarcely possible to estimate its wealth until it shall be brought under the government of our laws, and its resources fully developed. From its position, it must command the rich commerce of China, of Asia, of the islands of the Pacific, of western Mexico, of Central America, the South American States, and of the Russian possessions bordering on that ocean. A great emporium will doubtless speedily arise on the Californian coast, which may be destined to rival in importance New Orleans itself. The depot of the vast commerce which must exist on the Pacific will probably be at some point on the bay of San Francisco, and will occupy the same relation to the whole western coast of that ocean as New Orleans does to the valley of the Mississippi and the gulf of Mexico. To this depot our numerous whale ships will resort with their cargoes, to trade, refit, and obtain supplies. This of itself will largely contribute to build up a city, which would soon become the centre of a great

and rapidly increasing commerce. Situated on a safe harbor, sufficiently capacious for all the navies as well as the marine of the world, and convenient to excellent timber for ship building, owned by the United States, it must become our great western naval depot.

It was known that mines of the precious metals existed to a considerable extent in California at the time of its acquisition. Recent discoveries render it probable that these mines are more extensive and valuable than was anticipated. The accounts of the abundance of gold in that territory are of such an extraordinary character as would scarcely command belief were they not corroborated by the authentic reports of officers in the public service, who have visited the mineral district, and derived the facts which they detail from personal observation. Reluctant to credit the reports in general circulation as to the quantity of gold, the officer commanding our forces in California visited the mineral district in July last, for the purpose of obtaining accurate information on the subject. His report to the War Department of the result of his examination, and the facts obtained on the spot, is herewith laid before Congress. When he visited the country, there were about four thousand persons engaged in collecting gold. There is every reason to believe that the number of persons so employed has since been augmented. The explorations already made warrant the belief that the supply is very large, and that gold is found at various places in an extensive district of country.

Information received from officers of the navy and other sources, though not so full and minute, confirm the accounts of the commander of our military force in California. It appears, also, from these reports, that mines of quicksilver are found in the vicinity of the gold region. One of them is now being worked, and is believed to be among the most productive in the world.

The effects produced by the discovery of these rich mineral deposites, and the success which has attended the labors of those who have resorted to them, have produced a surprising change in the state of affairs in California. Labor commands a most exorbiant price, and all other pursuits but that of searching for the precious metals are abandoned. Nearly the whole of the male population of the country have gone to the gold districts. Ships arriving on the coast are deserted by their crews, and their voyages suspended for want of sailors. Our commanding officer there entertains apprehensions that soldiers cannot be kept in the public service without a large increase of pay. Desertions in his command have become frequent, and he recommends that those who shall withstand the strong temptation, and remain faithful, should be rewarded.

This abundance of gold, and the all-engrossing pursuit of it, have already caused in California an unprecedented rise in the price of all the necessaries of life.

That we may the more speedily and fully avail ourselves of the undeveloped wealth of these mines, it is deemed of vast importance that a branch of the mint of the United States be authorized to be

established, at your present session, in California. Among other signal advantages which would result from such an establishment would be that of raising the gold to its par value in that territory. A branch mint of the United States at the great commercial depot on the west coast would convert into our own coin not only the gold derived from our own rich mines, but also the bullion and specie which our commerce may bring from the whole west coast of Central and South America. The west coast of America and the adjacent interior embrace the richest and best mines of Mexico, New Grenada, Central America, Chili, and Peru. The bullion and specie drawn from these countries, and especially from those of Western Mexico and Peru, to an amount in value of many millions of dollars, are now annually diverted and carried by the ships of Great Britain to her own ports, to be recoined or used to sustain her national bank, and thus contribute to increase her ability to command so much of the commerce of the world. If a branch mint be established at the great commercial point upon that coast, a vast amount of bullion and specie would flow thither to be recoined, and pass thence to New Orleans, New York, and other Atlantic cities. The amount of our constitutional currency at home would be greatly increased, while its circulation abroad would be promoted. It is well known to our merchants trading to China and the west coast of America, that great inconvenience and loss are experienced from the fact that our coins are not current at their par value in those countries.

The powers of Europe, far removed from the west coast of America by the Atlantic ocean which intervenes, and by a tedious and dangerous navigation around the southern cape of the continent of America, can never successfully compete with the United States in the rich and extensive commerce which is opened to us at so much less cost by the acquisition of California.

The vast importance and commercial advantages of California have heretofore remained undeveloped by the government of the country of which it constituted a part. Now that this fine province is a part of our country, all the States of the Union, some more immediately and directly than others, are deeply interested in the speedy development of its wealth and resources. No section of our country is more interested, or will be more benefitted, than the commercial, navigating, and manufacturing interests of the eastern States. Our planting and farming interests in every part of the Union will be greatly benefitted by it. As our commerce and navigation are enlarged and extended, our exports of agricultural products and of manufactures will be increased; and in the new markets thus opened they cannot fail to command remunerating and profitable prices.

The acquisition of California and New Mexico, the settlement of the Oregon boundary, and the annexation of Texas, extending to the Rio Grande, are results which, combined, are of greater consequence, and will add more to the strength and wealth of the nation, than any which have preceded them since the adoption of the constitution.

But to effect these great results, not only California, but New Mexico, must be brought under the control of regularly organized governments. The existing condition of California, and of that part of New Mexico lying west of the Rio Grande, and without the limits of Texas, imperiously demand that Congress should, at its present session, organize territorial governments over them.

Upon the exchange of ratifications of the treaty of peace with Mexico on the thirtieth of May last, the temporary governments which had been established over New Mexico and California by our military and naval commanders, by virtue of the rights of war, ceased to derive any obligatory force from that source of authority; and having been ceded to the United States, all government and control over them under the authority of Mexico had ceased to exist. Impressed with the necessity of establishing territorial governments over them, I recommended the subject to the favorable consideration of Congress in my message communicating the ratified treaty of peace, on the sixth of July last, and invoked their action at that session. Congress adjourned without making any provision for their government. The inhabitants, by the transfer of their country, had become entitled to the benefits of our laws and constitution, and yet were left without any regularly organized government. Since that time, the very limited power possessed by the Executive has been exercised to preserve and protect them from the inevitable consequences of a state of anarchy. The only government which remained was that established by the military authority during the war. Regarding this to be a *de facto* government, and that by the presumed consent of the inhabitants it might be continued temporarily, they were advised to conform and submit to it for the short intervening period before Congress would again assemble and could legislate on the subject. The views entertained by the Executive on this point are contained in a communication of the Secretary of State, dated the seventh of October last, which was forwarded for publication to California and New Mexico, a copy of which is herewith transmitted.

The small military force of the regular army, which was serving within the limits of the acquired territories at the close of the war, was retained in them, and additional forces have been ordered there for the protection of the inhabitants, and to preserve and secure the rights and interests of the United States.

No revenue has been or could be collected at the ports in California, because Congress failed to authorize the establishment of custom-houses, or the appointment of officers for that purpose.

The Secretary of the Treasury, by a circular letter addressed to collectors of the customs, on the seventh day of October last, a copy of which is herewith transmitted, exercised all the power with which he was invested by law.

In pursuance of the act of the fourteenth of August last, extending the benefit of our post office laws to the people of California, the Postmaster General has appointed two agents, who have proceeded, the one to California, and the other to Oregon, with au-

thority to make the necessary arrangements for carrying its provisions into effect.

The monthly line of mail steamers from Panama to Astoria has been required to "stop and deliver and take mails at San Diego, Monterey, and San Francisco." These mail steamers, connected by the isthmus of Panama with the line of mail steamers on the Atlantic between New York and Chagres, will establish a regular mail communication with California.

It is our solemn duty to provide, with the least practicable delay, for New Mexico and California, regularly organized territorial governments. The causes of the failure to do this at the last session of Congress are well known, and deeply to be regretted. With the opening prospects of increased prosperity and national greatness which the acquisition of these rich and extensive territorial possessions affords, how irrational it would be to forego or to reject these advantages, by the agitation of a domestic question which is coeval with the existence of our government itself, and to endanger by internal strifes, geographical divisions, and heated contests for political power, or for any other cause, the harmony of the glorious Union of our confederated States; that Union which binds us together as one people, and which for sixty years has been our shield and protection against every danger. In the eyes of the world, and of posterity, how trivial and insignificant will be all our internal divisions and struggles compared with the preservation of this Union of the States in all its vigor and with all its countless blessings! No patriot would foment and excite geographical and sectional divisions. No lover of his country would deliberately calculate the value of the Union. Future generations would look in amazement upon the folly of such a course. Other nations at the present day would look upon it with astonishment; and such of them as desire to maintain and perpetuate thrones and monarchical or aristocratical principles, will view it with exultation and delight, because in it they will see the elements of faction, which they hope must ultimately overturn our system. Ours is the great example of a prosperous and free self-governed republic, commanding the admiration and the imitation of all the lovers of freedom throughout the world. How solemn, therefore, is the duty, how impressive the call upon us and upon all parts of our country, to cultivate a patriotic spirit of harmony, of good fellowship, of compromise and mutual concession, in the administration of the incomparable system of government formed by our fathers in the midst of almost insuperable difficulties, and transmitted to us, with the injunction that we should enjoy its blessings and hand it down unimpaired to those who may come after us!

In view of the high and responsible duties which we owe to ourselves and to mankind, I trust you may be able, at your present session, to approach the adjustment of the only domestic question which seriously threatens, or probably ever can threaten, to disturb the harmony and successful operations of our system.

The immensely valuable possessions of New Mexico and California *are already inhabited by* a considerable population. At-

tracted by their great fertility, their mineral wealth, their commercial advantages, and the salubrity of the climate, emigrants from the older States, in great numbers, are already preparing to seek new homes in these inviting regions.

Shall the dissimilarity of the domestic institutions in the different States prevent us from providing for them suitable governments? These institutions existed at the adoption of the constitution, but the obstacles which they interposed were overcome by that spirit of compromise which is now invoked. In a conflict of opinions or of interests, real or imaginary, between different sections of our country, neither can justly demand all which it might desire to obtain. Each, in the true spirit of our institutions, should concede something to the other.

Our gallant forces in the Mexican war, by whose patriotism and unparalleled deeds of arms we obtained those possessions as an indemnity for our just demands against Mexico, were composed of citizens who belonged to no one State or section of our Union. They were men from slaveholding and non-slaveholding States, from the north and the south, from the east and the west. They were all companions in arms and fellow-citizens of the same common country, engaged in the same common cause. When prosecuting that war, they were brethren and friends, and shared alike with each other common toils, dangers, and sufferings. Now, when their work is ended, when peace is restored, and they return again to their homes, put off the habiliments of war, take their places in society, and resume their pursuits in civil life, surely a spirit of harmony and concession, and of equal regard for the rights of all, and of all sections of the Union ought to prevail in providing governments for the acquired territories—the fruits of their common service. The whole people of the United States and of every State contributed to defray the expenses of that war; and it would not be just for any one section to exclude another from all participation in the acquired territory. This would not be in consonance with the just system of government which the framers of the constitution adopted.

The question is believed to be rather abstract than practical, whether slavery ever can or would exist in any portion of the acquired territory, even if it were left to the option of the slaveholding States themselves. From the nature of the climate and productions, in much the larger portion of it, it is certain it could never exist; and in the remainder, the probabilities are it would not. But however this may be, the question, involving, as it does, a principle of equality of rights of the separate and several States, as equal co-partners in the confederacy, should not be disregarded.

In organizing governments over these Territories, no duty imposed on Congress by the constitution requires that they should legislate on the subject of slavery, while their power to do so is not only seriously questioned, but denied by many of the soundest expounders of that instrument. Whether Congress shall legislate *or not,* the people of the acquired Territories, when assembled in *convention to form* State constitutions, will possess the sole and

exclusive power to determine for themselves whether slavery shall or shall not exist within their limits. If Congress shall abstain from interfering with the question, the people of these Territories will be left free to adjust it as they may think proper when they apply for admission as States into the Union. No enactment of Congress could restrain the people of any of the sovereign States of the Union, old or new, north or south, slaveholding or non-slaveholding, from determining the character of their own domestic institutions as they may deem wise and proper. Any and all the States possess this right, and Congress cannot deprive them of it. The people of Georgia might, if they chose, so alter their constitution as to abolish slavery within its limits; and the people of Vermont might so alter their constitution as to admit slavery within its limits. Both States would possess the right; though, as all know, it is not probable that either would exert it.

It is fortunate for the peace and harmony of the Union that this question is in its nature temporary; and can only continue for the brief period which will intervene before California and New Mexico may be admitted as States into the Union. From the tide of population now flowing into them, it is highly probable that this will soon occur.

Considering the several States and the citizens of the several States as equals, and entitled to equal rights under the constitution, if this were an original question, it might well be insisted on that the principle of non-interference is the true doctrine, and that Congress could not, in the absence of any express grant of power, interfere with their relative rights. Upon a great emergency, however, and under menacing dangers to the Union, the Missouri compromise line in respect to slavery was adopted. The same line was extended further west in the acquisition of Texas. After an acquiescence of nearly thirty years in the principle of compromise recognized and established by these acts, and to avoid the danger to the Union which might follow if it were now disregarded, I have heretofore expressed the opinion that that line of compromise should be extended on the parallel of thirty-six degrees thirty minutes from the western boundary of Texas, where it now terminates, to the Pacific ocean. This is the middle ground of compromise, upon which the different sections of the Union may meet, as they have heretofore met. If this be done, it is confidently believed a large majority of the people of every section of the country, however widely their abstract opinions on the subject of slavery may differ, would cheerfully and patriotically acquiesce in it, and peace and harmony would again fill our borders.

The restriction north of the line was only yielded to in the case of Missouri and Texas upon a principle of compromise, made necessary for the sake of preserving the harmony, and possibly, the existence of the Union.

It was upon these considerations that at the close of your last session, I gave my sanction to the principle of the Missouri compromise line, by approving and signing the bill to establish "the Territorial *government of* Oregon." From a sincere desire to pre-

serve the harmony of the Union, and in deference for the acts of my predecessors, I felt constrained to yield my acquiescence to the extent to which they had gone in compromising this delicate and dangerous question. But if Congress shall now reverse the decision by which the Missouri compromise was effected, and shall propose to extend the restriction over the whole territory, south as well as north of the parallel of thirty-six degrees thirty minutes, it will cease to be a compromise, and must be regarded as an original question.

If Congress, instead of observing the course of non-interference, leaving the adoption of their own domestic institutions to the people who may inhabit these Territories; or if, instead of extending the Missouri compromise line to the Pacific, shall prefer to submit the legal and constitutional questions which may arise to the decision of the judicial tribunals, as was proposed in a bill which passed the Senate at your last session, an adjustment may be effected in this mode. If the whole subject be referred to the judiciary, all parts of the Union should cheerfully acquiesce in the final decision of the tribunal created by the constitution for the settlement of all questions which may arise under the constitution, treaties, and laws of the United States.

Congress is earnestly invoked, for the sake of the Union, its harmony, and our continued prosperity as a nation, to adjust at its present session this, the only dangerous question which lies in our path—if not in some one of the modes suggested, in some other which may be satisfactory.

In anticipation of the establishment of regular governments over the acquired territories, a joint commission of officers of the army and navy has been ordered to proceed to the coast of California and Oregon, for the purpose of making *reconnoissances* and a report as to the proper sites for the erection of fortifications or other defensive works on land, and of suitable situations for naval stations. The information which may be expected from a scientific and skilful examination of the whole face of the coast will be eminently useful to Congress, when they come to consider the propriety of making appropriations for these great national objects. Proper defences on land will be necessary for the security and protection of our possessions; and the establishment of navy-yards, and a dock for the repair and construction of vessels, will be important alike to our navy and commercial marine. Without such establishments, every vessel, whether of the navy or of the merchant service, requiring repair, must, at great expense, come round Cape Horn to one of our Atlantic yards for that purpose. With such establishments, vessels, it is believed, may be built or repaired as cheaply in California as upon the Atlantic coast. They would give employment to many of our enterprising ship-builders and mechanics, and greatly facilitate and enlarge our commerce in the Pacific.

As it is ascertained that mines of gold, silver, copper and quicksilver exist in New Mexico and California, and that nearly all the lands where they are found belong to the United States, it is

deemed important to the public interests that provision should be made for a geological and mineralogical exa ination of these regions. Measures should be adopted to preserve the mineral lands, especially such as contain the precious metals, for the use of the United States; or if brought into market, to separate them from the farming lands, and dispose of them in such manner as to secure a large return of money to the treasury, and at the same time lead to the development of their wealth by individual proprietors and purchasers. To do this, it will be necessary to provide for an immediate survey and location of the lots. If Congress should deem it proper to dispose of the mineral lands, they should be sold in small quantities, and at a fixed minimum price.

I recommend that surveyor generals' offices be authorized to be established in New Mexico and California, and provision made for surveying and bringing the public lands into market at the earliest practicable period. In disposing of these lands, I recommend that the right of pre-emption be secured, and liberal grants made, to the early emigrants who have settled or may settle upon them.

It will be important to extend our revenue laws over these territories, and especially over California, at an early period. There is already a considerable commerce with California; and until ports of entry shall be established and collectors appointed, no revenue can be received.

If these and other necessary and proper measures be adopted for the development of the wealth and resources of New Mexico and California, and regular territorial governments be established over them, such will probably be the rapid enlargement of our commerce and navigation, and such the addition to the national wealth, that the present generation may live to witness the controlling commercial and monetary power of the world transferred from London and other European emporiums to the city of New York.

The apprehensions which were entertained by some of our statesmen, in the earlier periods of the government, that our system was incapable of operating with sufficient energy and success over largely extended territorial limits, and that if this were attempted, it would fall to pieces by its own weakness, have been dissipated by our experience. By the division of power between the States and federal government, the latter is found to operate with as much energy in the extremes as in the centre. It is as efficient in the remotest of the thirty States which now compose the Union, as it was in the thirteen States which formed our constitution. Indeed, it may well be doubted, whether, if our present population had been confined within the limits of the original thirteen States, the tendencies to centralization and consolidation would not have been such as to have encroached upon the essential reserved rights of the States, and thus to have made the federal government a widely different one, practically, from what it is in theory, and was intended to be by its framers. So far from entertaining apprehensions of the safety of our system by the extension of our territory, the belief is confidently entertained that each new State gives strength and an additional guaranty for the preservation of the Union itself.

In pursuance of the provisions of the thirteenth article of the treaty of peace, friendship, limits, and settlement, with the republic of Mexico, and of the act of July the twenty-ninth, 1848, claims of our citizens which had been "already liquidated and decided against the Mexican republic," amounting, with the interest thereon, to two million twenty-three thousand eight hundred and thirty-two dollars and fifty-one cents, have been liquidated and paid. There remain to be paid of these claims, seventy-four thousand one hundred and ninety-two dollars and twenty-six cents.

Congress at its last session having made no provision for executing the fifteenth article of the treaty, by which the United States assume to make satisfaction for the "unliquidated claims" of our citizens against Mexico, to "an amount not exceeding three and a quarter millions of dollars," the subject is again recommended to your favorable consideration.

The exchange of ratifications of the treaty with Mexico took place on the thirtieth of May, 1848. Within one year after that time, the commissioner and surveyor which each government stipulates to appoint, are required to meet "at the port of San Diego, and proceed to run and mark the said boundary in its whole course to the mouth of the Rio Bravo del Norte." It will be seen from this provision, that the period within which a commissioner and surveyor of the respective governments are to meet at San Diego, will expire on the thirtieth of May, 1849. Congress, at the close of its last session, made an appropriation for "the expenses of running and marking the boundary line" between the two countries, but did not fix the amount of salary which should be paid to the commissioner and surveyor to be appointed on the part of the United States. It is desirable that the amount of compensation which they shall receive should be prescribed by law, and not left, as at present, to executive discretion.

Measures were adopted at the earliest practicable period to organize the "Territorial government of Oregon," as authorized by the act of the fourteenth of August last. The governor and marshal of the Territory, accompanied by a small military escort, left the frontier of Missouri in September last, and took the southern route, by the way of Santa Fe and the river Gila, to California, with the intention of proceeding thence in one of our vessels of war to their destination. The governor was fully advised of the great importance of his early arrival in the country, and it is confidently believed he may reach Oregon in the latter part of the present month, or early in the next. The other officers for the Territory have proceeded by sea.

In the month of May last, I communicated information to Congress that an Indian war had broken out in Oregon, and recommended that authority be given to raise an adequate number of volunteers to proceed without delay to the assistance of our fellow-citizens in that Territory. The authority to raise such a force not having been granted by Congress, as soon as their services could *be dispensed* with in Mexico, orders were issued to the regiment of *mounted riflemen to proceed* to Jefferson Barracks, in Missouri, and

to prepare to march to Oregon as soon as the necessary provision could be made. Shortly before it was ready to march, it was arrested by the provision of the act passed by Congress on the last day of the last session, which directed that all the non-commissioned officers, musicians, and privates of that regiment, who had been in service in Mexico, should, upon their application, be entitled to be discharged. The effect of this provision was to disband the rank and file of the regiment; and before their places could be filled by recruits, the season had so far advanced that it was impracticable for it to proceed until the opening of the next spring.

In the month of October last, the accompanying communication was received from the governor of the temporary government of Oregon, giving information of the continuance of the Indian disturbances, and of the destitution and defenceless condition of the inhabitants. Orders were immediately transmitted to the commander of the squadron in the Pacific, to despatch to their assistance a part of the naval forces on that station, to furnish them with arms and ammunition, and to continue to give them such aid and protection as the navy could afford, until the army could reach the country.

It is the policy of humanity, and one which has always been pursued by the United States, to cultivate the good will of the aboriginal tribes of this continent, and to restrain them from making war, and indulging in excesses, by mild means, rather than by force. That this could have been done with the tribes in Oregon, had that Territory been brought under the government of our laws at an earlier period, and had suitable measures been adopted by Congress, such as now exist in our intercourse with the other Indian tribes within our limits, cannot be doubted. Indeed, the immediate and only cause of the existing hostility of the Indians of Oregon is represented to have been, the long delay of the United States in making to them some trifling compensation, in such articles as they wanted, for the country now occupied by our emigrants, which the Indians claimed and over which they formerly roamed. This compensation had been promised to them by the temporary government established in Oregon, but its fulfilment had been postponed from time to time, for nearly two years, whilst those who made it had been anxiously waiting for Congress to establish a territorial government over the country. The Indians became at length distrustful of their good faith, and sought redress by plunder and massacre, which finally led to the present difficulties. A few thousand dollars in suitable presents, as a compensation for the country which had been taken possession of by our citizens, would have satisfied the Indians, and have prevented the war. A small amount properly distributed, it is confidently believed, would soon restore quiet. In this Indian war our fellow-citizens of Oregon have been compelled to take the field in their own defence, have performed valuable military services, and been subjected to expenses which have fallen heavily upon them. Justice *demands* that provision should be made by

Congress to compensate them for their services, and to refund to them the necessary expenses which they have incurred.

I repeat the recommendation heretofore made to Congress, that provision be made for the appointment of a suitable number of Indian agents to reside among the tribes of Oregon, and that a small sum be appropriated to enable these agents to cultivate friendly relations with them. If this be done, the presence of a small military force will be all that is necessary to keep them in check, and preserve peace.

I recommend that similar provision be made as regards the tribes inhabiting northern Texas, New Mexico, California, and the extensive region lying between our settlements in Missouri and these possessions, as the most effective means of preserving peace upon our borders, and within the recently acquired territories.

The Secretary of the Treasury will present, in his annual report, a highly satisfactory statement of the condition of the finances.

The imports for the fiscal year ending on the thirtieth of June last, were of the value of one hundred and fifty-four million nine hundred and seventy-seven thousand eight hundred and seventy-six dollars; of which the amount exported was twenty-one million one hundred and twenty-eight thousand and ten dollars; leaving one hundred and thirty-three million eight hundred and forty-nine thousand eight hundred and sixty-six dollars in the country, for domestic use.

The value of the exports for the same period, was one hundred and fifty-four million thirty-two thousand one hundred and thirty-one dollars; consisting of domestic productions, amounting to one hundred and thirty-two million nine hundred and four thousand one hundred and twenty-one dollars, and twenty-one million one hundred and twenty-eight thousand and ten dollars of foreign articles.

The receipts into the treasury for the same period, exclusive of loans, amounted to thirty-five million four hundred and thirty-six thousand seven hundred and fifty dollars and fifty-nine cents; of which there was derived from customs, thirty-one million seven hundred and fifty-seven thousand and seventy dollars and ninety-six cents; from sales of public lands, three million three hundred and twenty-eight thousand six hundred and forty-two dollars and fifty-six cents; and, from miscellaneous and incidental sources, three hundred and fifty-one thousand and thirty-seven dollars and seven cents.

It will be perceived that the revenue from customs for the last fiscal year exceeded, by seven hundred and fifty-seven thousand and seventy dollars and ninety-six cents, the estimate of the Secretary of the Treasury in his last annual report; and that the aggregate receipts during the same period, from customs, lands, and miscellaneous sources, also exceeded the estimate by the sum of five hundred and thirty-six thousand seven hundred and fifty dollars and fifty-nine cents; indicating, however, a very near approach *in the estimate to* the actual result.

The expenditures during the fiscal year ending on the thirtieth of June last, including those for the war, and exclusive of payments of original and interest for the public debt, were forty-two million eight hundred and eleven thousand nine hundred and seventy dollars and three cents.

It is estimated that the receipts into the treasury for the fiscal year ending on the thirtieth of June, 1849, including the balance in the treasury on the first of July last, will amount to the sum of fifty-seven million forty-eight thousand nine hundred and sixty-nine dollars and ninety cents; of which thirty-two million of dollars, it is estimated, will be derived from customs; three millions of dollars from the sales of the public lands; and one million two hundred thousand dollars from miscellaneous and incidental sources, including the premium upon the loan, and the amount paid and to be paid into the treasury on account of military contributions in Mexico, and the sales of arms and vessels and other public property rendered unnecessary for the use of the government by the termination of the war; and twenty million six hundred and ninety-five thousand four hundred and thirty-five dollars and thirty cents from loans already negotiated, including treasury notes funded, which, together with the balance in the treasury on the first of July last, make the sum estimated.

The expenditures for the same period, including the necessary payment on account of the principal and interest of the public debt, and the principal and interest of the first instalment due to Mexico on the thirtieth of May next, and other expenditures growing out of the war, to be paid during the present year, will amount, including the reimbursement of treasury notes, to the sum of fifty-four million one hundred and ninety-five thousand two hundred and seventy-five dollars and six cents; leaving an estimated balance in the treasury on the first of July, 1849, of two million eight hundred and fifty-three thousand six hundred and ninety-four dollars and eighty-four cents.

The Secretary of the Treasury will present, as required by law, the estimates of the receipts and expenditures for the next fiscal year. The expenditures as estimated for that year are thirty-three million two hundred and thirteen thousand one hundred and fifty-two dollars and seventy-three cents, including three million seven hundred and ninety-nine thousand one hundred and two dollars and eighteen cents for the interest on the public debt, and three million five hundred and forty thousand dollars for the principal and interest due to Mexico on the thirtieth of May, 1850; leaving the sum of twenty-five million eight hundred and seventy-four thousand fifty dollars and thirty-five cents; which, it is believed will be ample for the ordinary peace expenditures.

The operations of the tariff act of 1846 have been such during the past year as fully to meet the public expectation, and to confirm the opinion heretofore expressed of the wisdom of the change in our revenue system which was effected by it. The receipts under it into the treasury for the first fiscal year after its enactment exceeded by the sum *of five million* forty-four thousand four hundred *and three dollars and nine cents* the amount collected during the

last fiscal year under the tariff act of 1842, ending the thirtieth of June, 1846. The total revenue realized from the commencement of its operation, on the first of December, 1846, until the close of the last quarter, on the thirtieth of September last, being twenty-two months, was fifty-six million six hundred and fifty-four thousand five hundred and sixty-three dollars and seventy-nine cents—being a much larger sum than was ever before received from duties during any equal period under the tariff acts of 1824, 1828, 1832, and 1842. Whilst by the repeal of highly protective and prohibitory duties the revenue has been increased, the taxes on the people have been diminished. They have been relieved from the heavy amounts with which they were burthened under former laws in the form of increased prices or bounties paid to favored classes and pursuits.

The predictions which were made, that the tariff act of 1846 would reduce the amount of revenue below that collected under the act of 1842, and would prostrate the business and destroy the prosperity of the country, have not been verified. With an increased and increasing revenue, the finances are in a highly flourishing condition. Agriculture, commerce, and navigation, are prosperous; the prices of manufactured fabrics, and of other products, are much less injuriously affected than was to have been anticipated, from the unprecedented revulsions, which, during the last and the present year, have overwhelmed the industry and paralyzed the credit and commerce of so many great and enlightened nations of Europe.

Severe commercial revulsions abroad have always heretofore operated to depress, and often to affect disastrously, almost every branch of American industry. The temporary depression of a portion of our manufacturing interests is the effect of foreign causes, and is far less severe than has prevailed on all former similar occasions.

It is believed that, looking to the great aggregate of all our interests, the whole country was never more prosperous than at the present period, and never more rapidly advancing in wealth and population. Neither the foreign war in which we have been involved, nor the loans which have absorbed so large a portion of our capital, nor the commercial revulsion in Great Britain in 1847, nor the paralysis of credit and commerce throughout Europe in 1848, have affected injuriously to any considerable extent any of the great interests of the country, or arrested our onward march to greatness, wealth, and power.

Had the disturbances in Europe not occurred, our commerce would undoubtedly have been still more extended, and would have added still more to the national wealth and public prosperity. But notwithstanding these disturbances, the operations of the revenue system established by the tariff act of 1846, have been so generally beneficial to the government and the business of the country, that no change in its provisions is demanded by a wise public policy, and none is recommended.

The operations of the constitutional treasury, established by the *act of the sixth of August*, 1846, in the receipt, custody, and dis-

bursement of the public money, have continued to be successful. Under this system the public finances have been carried through a foreign war, involving the necessity of loans and extraordinary expenditures, and requiring distant transfers and disbursements, without embarrassment, and no loss has occurred of any of the public money deposited under its provisions. Whilst it has proved to be safe and useful to the government, its effects have been most beneficial upon the business of the country. It has tended powerfully to secure an exemption from that inflation and fluctuation of the paper currency, so injurious to domestic industry, and rendering so uncertain the rewards of labor, and it is believed has largely contributed to preserve the whole country from a serious commercial revulsion, such as often occurred under the bank deposit system. In the year 1847, there was a revulsion in the business of Great Britain of great extent and intensity, which was followed by failures in that kingdom unprecedented in number and amount of losses. This is believed to be the first instance when such disastrous bankruptcies, occurring in a country with which we have such extensive commerce, produced little or no injurious effect upon our trade or currency. We remained but little affected in our money market, and our business and industry were still prosperous and progressive.

During the present year, nearly the whole continent of Europe has been convulsed by civil war and revolutions, attended by numerous bankruptcies, by an unprecedented fall in their public securities, and an almost universal paralysis of commerce and industry; and yet, although our trade and the prices of our products must have been somewhat unfavorably affected by these causes, we have escaped a revulsion, our money market is comparatively easy, and public and private credit have advanced and improved.

It is confidently believed that we have been saved from their effect by the salutary operation of the constitutional treasury. It is certain, that if the twenty-four millions of specie imported into the country during the fiscal year ending on the thirtieth of June, 1847, had gone into the banks, as to a great extent it must have done, it would, in the absence of this system, have been made the basis of augmented bank paper issues, probably to an amount not less than sixty or seventy millions of dollars, producing, as an inevitable consequence of an inflated currency, extravagant prices for a time, and wild speculation, which must have been followed, on the reflux to Europe, the succeeding year, of so much of that specie, by the prostration of the business of the country, the suspension of the banks, and most extensive bankruptcies. Occurring, as this would have done, at a period when the country was engaged in a foreign war; when considerable loans of specie were required for distant disbursements, and when the banks, the fiscal agents of the government, and the depositories of its money, were suspended, the public credit must have sunk, and many millions of dollars, as was the case during the war of 1812, must have been sacrificed in discounts upon loans, and upon the depreciated paper currency *which the government* would have been compelled to use.

Under the operations of the constitutional treasury, not a dollar has been lost by the depreciation of the currency. The loans required to prosecute the war with Mexico were negotiated by the Secretary of the Treasury above par, realizing a large premium to the government. The restraining effect of the system upon the tendencies to excessive paper issues by banks has saved the government from heavy losses, and thousands of our business men from bankruptcy and ruin. The wisdom of the system has been tested by the experience of the last two years, and it is the dictate of sound policy that it should remain undisturbed. The modifications in some of the details of this measure, involving none of its essential principles, heretofore recommended, are again presented for your favorable consideration.

In my message of the sixth of July last, transmitting to Congress the ratified treaty of peace with Mexico, I recommended the adoption of measures for the speedy payment of the public debt. In reiterating that recommendation, I refer you to the considerations presented in that message in its support. The public debt, including that authorized to be negotiated, in pursuance of existing laws, and including treasury notes, amounted at that time to sixty-five million seven hundred and seventy-eight thousand four hundred and fifty dollars and forty-one cents.

Funded stock of the United States, amounting to about half a million of dollars, has been purchased, as authorized by law, since that period, and the public debt has thus been reduced; the details of which will be presented in the annual report of the Secretary of the Treasury.

The estimates of expenditures for the next fiscal year, submitted by the Secretary of the Treasury, it is believed will be ample for all necessary purposes. If the appropriations made by Congress shall not exceed the amount estimated, the means in the treasury will be sufficient to defray all the expenses of the government; to pay off the next instalment of three millions of dollars to Mexico, which will fall due on the thirtieth of May next; and still a considerable surplus will remain, which should be applied to the further purchase of the public stock and reduction of the debt. Should enlarged appropriations be made, the necessary consequence will be to postpone the payment of the debt. Though our debt, as compared with that of most other nations, is small, it is our true policy, and in harmony with the genius of our institutions, that we should present to the world the rare spectacle of a great republic, possessing vast resources and wealth, wholly exempt from public indebtedness. This would add still more to our strength, and give to us a still more commanding position among the nations of the earth.

The public expenditures should be economical, and be confined to such necessary objects as are clearly within the powers of Congress. All such as are not absolutely demanded should be postponed, and the payment of the public debt, at the earliest practicable period, should be a cardinal principle of our public policy.

For the reason assigned in my last annual message, I repeat the

recommendation that a branch of the mint of the United States be established at the city of New York. The importance of this measure is greatly increased by the acquisition of the rich mines of the precious metals in New Mexico and California, and especially in the latter.

I repeat the recommendation, heretofore made, in favor of the graduation and reduction of the price of such of the public lands as have been long offered in the market, and have remained unsold, and in favor of extending the rights of pre-emption to actual settlers on the unsurveyed as well as the surveyed lands.

The condition and operations of the army, and the state of other branches of the public service under the supervision of the War Department, are satisfactorily presented in the accompanying report of the Secretary of War.

On the return of peace, our forces were withdrawn from Mexico, and the volunteers and that portion of the regular army engaged for the war were disbanded. Orders have been issued for stationing the forces of our permanent establishment at various positions in our extended country, where troops may be required. Owing to the remoteness of some of these positions, the detachments have not yet reached their destination. Notwithstanding the extension of the limits of our country and the forces required in the new territories, it is confidently believed that our present military establishment is sufficient for all exigencies, so long as our peaceful relations remain undisturbed.

Of the amount of military contributions collected in Mexico, the sum of seven hundred and sixty-nine thousand six hundred and fifty dollars was applied towards the payment of the first instalment due under the treaty with Mexico. The further sum of three hundred and forty-six thousand three hundred and sixty-nine dollars and thirty cents has been paid into the treasury, and unexpended balances still remain in the hands of disbursing officers and those who were engaged in the collection of these moneys. After the proclamation of peace, no further disbursements were made of any unexpended moneys arising from this source. The balances on hand were directed to be paid into the treasury, and individual claims on the fund will remain unadjusted until Congress shall authorize their settlement and payment. These claims are not considerable in number or amount.

I recommend to your favorable consideration the suggestions of the Secretary of War and the Secretary of the Navy in regard to legislation on this subject.

Our Indian relations are presented in a most favorable view in the report from the War Department. The wisdom of our policy in regard to the tribes within our limits, is clearly manifested by their improved and rapidly improving condition.

A most important treaty with the Menomonies has been recently negotiated by the Commissioner of Indian Affairs in person, by which all their land in the State of Wisconsin—being about four millions of acres—has been ceded to the United States. This

treaty will be submitted to the Senate for ratification at an early period of your present session.

Within the last four years, eight important treaties have been negotiated with different Indian tribes, and at a cost of one million eight hundred and forty-two thousand dollars; Indian lands to the amount of more than eighteen million five hundred thousand acres, have been ceded to the United States; and provision has been made for settling in the country west of the Mississippi the tribes which occupied this large extent of the public domain. The title to all the Indian lands within the several States of our Union, with the exception of a few small reservations, is now extinguished, and a vast region opened for settlement and cultivation.

The accompanying report of the Secretary of the Navy gives a satisfactory exhibit of the operations and condition of that branch of the public service.

A number of small vessels suitable for entering the mouths of rivers were judiciously purchased during the war, and gave great efficiency to the squadron in the Gulf of Mexico. On the return of peace, when no longer valuable for naval purposes, and liable to constant deterioration, they were sold, and the money placed in the treasury.

The number of men in the naval service authorized by law during the war, has been reduced by discharges below the maximum fixed for the peace establishment. Adequate squadrons are maintained in the several quarters of the globe where experience has shown their services may be most usefully employed; and the naval service was never in a condition of higher discipline or greater efficiency.

I invite attention to the recommendation of the Secretary of the Navy on the subject of the marine corps. The reduction of the corps at the end of the war required that four officers of each of the three lower grades should be dropped from the rolls. A board of officers made the selection; and those designated were necessarily dismissed, but without any alleged fault. I concur in opinion with the Secretary, that the service would be improved by reducing the number of landsmen, and increasing the marines. Such a measure would justify an increase of the number of officers to the extent of the reduction by dismissal, and still the corps would have fewer officers than a corresponding number of men in the army.

The contracts for the transportation of the mail in steamships, convertible into war-steamers, promise to realize all the benefits to our commerce and to the navy which were anticipated. The first steamer thus secured to the government was launched in January, 1847. There are now seven; and in another year there will, probably, be not less than seventeen afloat. While this great national advantage is secured, our social and commercial intercourse is increased and promoted with Germany, Great Britain, and other parts of Europe, with all the countries on the west coast of our continent, especially with Oregon and California, and *between the northern* and southern sections of the United States.

Considerable revenue may be expected from postages; but the connected line from New York to Chagres, and thence across the isthmus to Oregon, cannot fail to exert a beneficial influence, not now to be estimated, on the interests of the manufactures, commerce, navigation, and currency of the United States. As an important part of the system, I recommend to your favorable consideration the establishment of the proposed line of steamers between New Orleans and Vera Cruz. It promises the most happy results in cementing friendship between the two republics, and extending reciprocal benefits to the trade and manufactures of both.

The report of the Postmaster General will make known to you the operations of that department for the past year.

It is gratifying to find the revenues of the department, under the rates of postage now established by law, so rapidly increasing. The gross amount of postages during the last fiscal year amounted to four million three hundred and seventy-one thousand and seventy-seven dollars, exceeding the annual average received for the nine years immediately preceding the passage of the act of the third of March, 1845, by the sum of six thousand four hundred and fifty-three dollars, and exceeding the amount received for the year ending the thirtieth of June, 1847, by the sum of four hundred and twenty-five thousand one hundred and eighty-four dollars.

The expenditures for the year, excluding the sum of ninety-four thousand six hundred and seventy-two dollars, allowed by Congress at its last session to individual claimants, and including the sum of one hundred thousand five hundred dollars paid for the services of the line of steamers between Bremen and New York, amounted to four million one hundred and ninety-eight thousand eight hundred and forty-five dollars, which is less than the annual average for the nine years previous to the act of 1845, by three hundred thousand seven hundred and forty-eight dollars.

The mail routes, on the thirtieth day of June last, were one hundred and sixty-three thousand two hundred and eight miles in extent—being an increase during the last year of nine thousand three hundred and ninety miles. The mails were transported over them, during the same time, forty-one million twelve thousand five hundred and seventy-nine miles; making an increase of transportation for the year of two million one hundred and twenty-four thousand six hundred and eighty miles, whilst the expense was less than that of the previous year by four thousand two hundred and thirty-five dollars.

The increase in the mail transportation within the last three years has been five million three hundred and seventy-eight thousand three hundred and ten miles, whilst the expenses were reduced four hundred and fifty-six thousand seven hundred and thirty-eight dollars—making an increase of service at the rate of fifteen per cent., and a reduction in the expenses of more than fifteen per cent.

During the past year there have been employed, under contracts with the *Post Office Department*, two ocean steamers in conveying

the mails monthly between New York and Bremen, and one, since October last, performing semi-monthly service between Charleston and Havana; and a contract has been made for the transportation of the Pacific mails across the isthmus from Chagres to Panama.

Under the authority given to the Secretary of the Navy, three ocean steamers have been constructed and sent to the Pacific, and are expected to enter upon the mail service between Panama and Oregon, and the intermediate ports, on the first of January next, and a fourth has been engaged by him for the service between Havana and Chagres; so that a regular monthly mail line will be kept up after that time between the United States and our territories on the Pacific.

Notwithstanding this great increase in the mail service, should the revenue continue to increase the present year as it did in the last, there will be received near four hundred and fifty thousand dollars more than the expenditures.

These considerations have satisfied the Postmaster General that, with certain modifications of the act of 1845, the revenue may be still further increased, and a reduction of postages made to a uniform rate of five cents, without an interference with the principle, which has been constantly and properly enforced, of making that department sustain itself.

A well-digested cheap postage system is the best means of diffusing intelligence among the people, and is of so much importance in a country so extensive as that of the United States, that I recommend to your favorable consideration the suggestions of the Postmaster General for its improvement.

Nothing can retard the onward progress of our country, and prevent us from assuming and maintaining the first rank among nations, but a disregard of the experience of the past, and a recurrence to an unwise public policy. We have just closed a foreign war by an honorable peace—a war rendered necessary and unavoidable in vindication of the national rights and honor. The present condition of the country is similar in some respects to that which existed immediately after the close of the war with Great Britain in 1815, and the occasion is deemed to be a proper one to take a retrospect of the measures of public policy which followed that war. There was at that period of our history a departure from our earlier policy. The enlargement of the powers of the federal government by *construction*, which obtained, was not warranted by any just interpretation of the constitution. A few years after the close of that war, a series of measures was adopted which, united and combined, constituted what was termed by their authors and advocates the "American system."

The introduction of the new policy was for a time favored by the condition of the country; by the heavy debt which had been contracted during the war; by the depression of the public credit; by the deranged state of the finances and the currency; and by the commercial and pecuniary embarrassment which extensively prevailed. These were not the only causes which led to its establishment. The events of the war with Great Britain, and the embar-

rassments which had attended its prosecution, had left on the minds of many of our statesmen the impression that our government was not strong enough, and that, to wield its resources successfully in great emergencies, and especially in war, more power should be concentrated in its hands. This increased power they did not seek to obtain by the legitimate and prescribed mode—an amendment of the constitution—but by *construction*. They saw governments in the old world based upon different orders of society, and so constituted as to throw the whole power of nations into the hands of a few, who taxed and controlled the many without responsibility or restraint. In that arrangement they conceived the strength of nations in war consisted. There was also something fascinating in the ease, luxury, and display of the higher orders, who drew their wealth from the toil of the laboring millions. The authors of the system drew their ideas of political economy from what they had witnessed in Europe, and particularly in Great Britain. They had viewed the enormous wealth concentrated in few hands, and had seen the splendor of the overgrown establishments of an aristocracy which was upheld by the restrictive policy. They forgot to look down upon the poorer classes of the English population, upon whose daily and yearly labor the great establishments they so much admired were sustained and supported. They failed to perceive that the scantily-fed and half-clad operatives were not only in abject poverty, but were bound in chains of oppressive servitude for the benefit of favored classes, who were the exclusive objects of the care of the government.

It was not possible to reconstruct society in the United States upon the European plan. Here there was a written constitution, by which orders and titles were not recognized or tolerated. A system of measures was therefore devised, calculated, if not intended, to withdraw power gradually and silently from the States and the mass of the people, and by *construction* to approximate our government to the European models, substituting an aristocracy of wealth for that of orders and titles.

Without reflecting upon the dissimilarity of our institutions, and of the condition of our people and those of Europe, they conceived the vain idea of building up in the United States a system similar to that which they admired abroad. Great Britain had a national bank of large capital, in whose hands was concentrated the controlling monetary and financial power of the nation; an institution wielding almost kingly power, and exerting vast influence upon all the operations of trade, and upon the policy of the government itself. Great Britain had an enormous public debt, and it had become a part of her public policy to regard this as a "public blessing." Great Britain had also a restrictive policy, which placed fetters and burdens on trade, and trammelled the productive industry of the mass of the nation. By her combined system of policy, the landlords and other property holders were protected and enriched by the enormous taxes which were levied upon the labor of the country for their advantage.

Imitating this foreign policy, the first step in establishing the

new system in the United States was the creation of a national bank. Not foreseeing the dangerous power and countless evils which such an institution might entail on the country, nor perceiving the connexion which it was designed to form between the bank and the other branches of the miscalled "American system," but feeling the embarrassments of the treasury, and of the business of the country, consequent upon the war, some of our statesmen who had held different and sounder views were induced to yield their scruples, and, indeed, settled convictions of its unconstitutionality, and to give it their sanction, as an expedient which they vainly hoped might produce relief. It was a most unfortunate error, as the subsequent history and final catastrophe of that dangerous and corrupt institution have abundantly proved. The bank, with its numerous branches ramified into the States, soon brought many of the active political and commercial men in different sections of the country into the relation of debtors to it, and dependants upon it for pecuniary favors; thus diffusing throughout the mass of society a great number of individuals of power and influence to give tone to public opinion, and to act in concert in cases of emergency. The corrupt power of such a political engine is no longer a matter of speculation, having been displayed in numerous instances, but most signally in the political struggles of 1832–'3–'4, in opposition to the public will represented by a fearless and patriotic President.

But the bank was but one branch of the new system. A public debt of more than one hundred and twenty millions of dollars existed; and it is not to be disguised that many of the authors of the new system did not regard its speedy payment as essential to the public prosperity, but looked upon its continuance as no national evil. Whilst the debt existed, it furnished aliment to the national bank, and rendered increased taxation necessary to the amount of the interest, exceeding seven millions of dollars annually.

This operated in harmony with the next branch of the new system, which was a high protective tariff. This was to afford bounties to favored classes and particular pursuits, at the expense of all others. A proposition to tax the whole people for the purpose of enriching a few, was too monstrous to be openly made. The scheme was, therefore, veiled under the plausible but delusive pretext of a measure to protect "home industry;" and many of our people were, for a time, led to believe that a tax, which, in the main, fell upon labor, was for the benefit of the laborer who paid it. This branch of the system involved a partnership between the government and the favored classes—the former receiving the proceeds of the tax imposed on articles imported, and the latter the increased price of similar articles produced at home, caused by such tax. It is obvious that the portion to be received by the favored classes would, as a general rule, be increased in proportion to the increase of the rates of tax imposed, and diminished as those rates were reduced to the revenue standard required by the wants of the government. The rates required to produce a sufficient revenue for the ordinary expenditures of government, for necessary purposes, were not likely *to give to the private* partners in this scheme profits sufficient to

satisfy their cupidity; and hence a variety of expedients and pretexts were resorted to for the purpose of enlarging the expenditures, and thereby creating a necessity for keeping up a high protective tariff. The effect of this policy was to interpose artificial restrictions upon the natural course of the business and trade of the country, and to advance the interests of large capitalists and monopolists, at the expense of the great mass of the people, who were taxed to increase their wealth.

Another branch of this system was a comprehensive scheme of internal improvements, capable of indefinite enlargement, and sufficient to swallow up as many millions annually as could be exacted from the foreign commerce of the country. This was a convenient and necessary adjunct of the protective tariff. It was to be the great absorbent of any surplus which might at any time accumulate in the treasury, and of the taxes levied on the people, not for necessary revenue purposes, but for the avowed object of affording protection to the favored classes.

Auxiliary to the same end, if it was not an essential part of the system itself, was the scheme which, at a later period, obtained, for distributing the proceeds of the sales of the public lands among the States. Other expedients were devised to take money out of the treasury, and prevent its coming in from any other source than the protective tariff. The authors and supporters of the system were the advocates of the largest expenditures, whether for necessary or useful purposes or not, because the larger the expenditures the greater was the pretext for high taxes in the form of protective duties.

These several measures were sustained by popular names and plausible arguments, by which thousands were deluded. The bank was represented to be an indispensable fiscal agent for the government; was to equalize exchanges, and to regulate and furnish a sound currency, always and everywhere of uniform value. The protective tariff was to give employment to "American labor" at advanced prices; was to protect "home industry," and furnish a steady market for the farmer. Internal improvements were to bring trade into every neighborhood and enhance the value of every man's property. The distribution of the land money was to enrich the States, finish their public works, plant schools throughout their borders, and relieve them from taxation. But the fact, that for every dollar taken out of the treasury for these objects, a much larger sum was transferred from the pockets of the people to the favored classes, was carefully concealed, as was also the tendency if not the ultimate design of the system to build up an aristocracy of wealth, to control the masses of society, and monopolize the political power of the country.

The several branches of this system were so intimately blended together, that in their operation each sustained and strengthened the others. Their joint operation was, to add new burthens of taxation and to encourage a largely increased and wasteful expenditure of public money. It was the interest of the bank that the revenue collected and the disbursements made by the government

should be large, because, being the depository of the public money, the larger the amount, the greater would be the bank profits by its use. It was the interest of the favored classes, who were enriched by the protective tariff, to have the rates of that protection as high as possible; for the higher those rates, the greater would be their advantage. It was the interest of the people of all those sections and localities who expected to be benefitted by expenditures for internal improvements, that the amount collected should be as large as possible, to the end that the sum disbursed might also be the larger. The States being the beneficiaries in the distribution of the land money, had an interest in having the rates of tax imposed by the protective tariff large enough to yield a sufficient revenue from that source to meet the wants of the government, without disturbing or taking from them the land fund; so that each of the branches constituting the system had a common interest in swelling the public expenditures. They had a direct interest in maintaining the public debt unpaid, and increasing its amount, because this would produce an annual increased drain upon the treasury, to the amount of the interest, and render augmented taxes necessary. The operation and necessary effect of the whole system were, to encourage large and extravagant expenditures, and thereby to increase the public patronage, and maintain a rich and splendid government at the expense of a taxed and impoverished people.

It is manifest that this scheme of enlarged taxation and expenditures, had it continued to prevail, must soon have converted the government of the Union, intended by its framers to be a plain, cheap, and simple confederation of States, united together for common protection, and charged with a few specific duties, relating chiefly to our foreign affairs, into a consolidated empire, depriving the States of their reserved rights, and the people of their just power and control in the administration of their government. In this manner the whole form and character of the government would be changed, not by an amendment of the constitution, but by resorting to an unwarrantable and unauthorized construction of that instrument.

The indirect mode of levying the taxes by a duty on imports, prevents the mass of the people from readily perceiving the amount they pay, and has enabled the few, who are thus enriched, and who seek to wield the political power of the country, to deceive and delude them. Were the taxes collected by a direct levy upon the people, as is the case in the States, this could not occur.

The whole system was resisted from its inception by many of our ablest statesmen, some of whom doubted its constitutionality and its expediency, while others believed it was, in all its branches, a flagrant and dangerous infraction of the constitution.

That a national bank, a protective tariff, levied not to raise the revenue needed, but for protection merely, internal improvements, and the distribution of the proceeds of the sale of the public lands, are measures without the warrant of the constitution, would, upon the maturest consideration, seem to be clear. It is remarkable

that no one of these measures, involving such momentous consequences, is authorized by any express grant of power in the constitution. No one of them is "incident to, as being necessary and proper for the execution of, the specific powers" granted by the constitution. The authority under which it has been attempted to justify each of them is derived from inferences and constructions of the constitution which its letter and its whole object and design do not warrant. Is it to be conceived that such immense powers would have been left by the framers of the constitution to mere inferences and doubtful constructions? Had it been intended to confer them on the federal government, it is but reasonable to conclude that it would have been done by plain and unequivocal grants. This was not done; but the whole structure of which the "American system" consisted was reared on no other or better foundation than forced implications and inferences of power, which its authors assumed might be deduced by construction from the constitution.

But it has been urged that the national bank, which constituted so essential a branch of this combined system of measures, was not a new measure, and that its constitutionality had been previously sanctioned, because a bank had been chartered in 1791, and had received the official signature of President Washington. A few facts will show the just weight to which this precedent should be entitled, as bearing upon the question of constitutionality.

Great division of opinion upon the subject existed in Congress. It is well known that President Washington entertained serious doubts both as to the constitutionality and expediency of the measure; and while the bill was before him for his official approval or disapproval, so great were these doubts, that he required "the opinion in writing" of the members of his cabinet to aid him in arriving at a decision. His cabinet gave their opinions, and were divided upon the subject—General Hamilton being in favor of, and Mr. Jefferson and Mr. Randolph being opposed to the constitutionality and expediency of the bank. It is well known, also, that President Washington retained the bill from Monday, the fourteenth, when it was presented to him, until Friday, the twenty-fifth day of February—being the last moment permitted him by the constitution to deliberate, when he finally yielded to it his reluctant assent, and gave it his signature. It is certain that, as late as the twenty-third of February—being the ninth day after the bill was presented to him—he had arrived at no satisfactory conclusion; for on that day he addressed a note to General Hamilton, in which he informs him that "this bill was presented to me by the joint committee of Congress at 12 o'clock on Monday, the fourteenth instant;" and he requested his opinion "to what precise period, by legal interpretation of the constitution, can the President retain it in his possession, before it becomes a law by the lapse of ten days." If the proper construction was, that the day on which the bill was presented to the President, and the day on which his action was had upon it, were both to be counted inclusive, then the time allowed him, within which it would be competent for him to

return it to the House in which it originated, with his objections, would expire on Thursday, the twenty-fourth of February. General Hamilton on the same day returned an answer, in which he states: "I give it as my opinion that you have ten days exclusive of that on which the bill was delivered to you, and Sundays; hence, in the present case, if it is returned on Friday, it will be in time." By this construction, which the President adopted, he gained another day for deliberation, and it was not until the twenty-fifth of February that he signed the bill; thus affording conclusive proof that he had at last obtained his own consent to sign it, not without great and almost insuperable difficulty. Additional light has been recently shed upon the serious doubts which he had on the subject, amounting at one time to a conviction that it was his duty to withhold his approval from the bill. This is found among the manuscript papers of Mr. Madison, authorized to be purchased for the use of the government by an act of the last session of Congress, and now for the first time accessible to the public. From these papers, it appears that President Washington, while he yet held the bank bill in his hands, actually requested Mr. Madison, at that time a member of the House of Representatives, to prepare the draught of a veto message for him. Mr. Madison, at his request, did prepare the draught of such a message, and sent it to him on the twenty-first of February, 1791. A copy of this original draught, in Mr. Madison's own handwriting, was carefully preserved by him, and is among the papers lately purchased by Congress. It is preceded by a note, written on the same sheet, which is also in Mr. Madison's handwriting, and is as follows:

"February 21st, 1791. Copy of a paper made out and sent to the President, at his request, to be ready, in case his judgment should finally decide against the bill for incorporating a national bank, the bill being then before him."

Among the objections assigned in this paper to the bill, and which were submitted for the consideration of the President, are the following:

"I object to the bill, because it is an essential principle of the government that powers not delegated by the constitution cannot be rightfully exercised; because the power proposed by the bill to be exercised is not expressly delegated, and because I cannot satisfy myself that it results from any express power by fair and safe rules of interpretation."

The weight of the precedent of the bank of 1791, and the sanction of the great name of Washington, which has been so often invoked in its support, are greatly weakened by the development of these facts. The experiment of that bank satisfied the country that it ought not to be continued, and at the end of twenty years Congress refused to recharter it. It would have been fortunate for the country, and saved thousands from bankruptcy and ruin, had our public men of 1816 resisted the temporary pressure of the times upon our financial and pecuniary interests, and refused to *charter the second bank*. Of this the country became abundantly

satisfied, and, at the close of its twenty years' duration, as in the case of the first bank, it also ceased to exist. Under the repeated blows of President Jackson, it reeled and fell, and a subsequent attempt to charter a similar institution was arrested by the veto of President Tyler.

Mr. Madison, in yielding his signature to the charter of 1816, did so upon the ground of the respect due to precedents; and, as he subsequently declared, "the bank of the United States, though, on the original question, held to be unconstitutional, received the Executive signature."

It is probable that neither the bank of 1791, nor that of 1816, would have been chartered, but for the embarrassments of the government in its finances, the derangement of the currency, and the pecuniary pressure which existed; the first the consequence of the war of the revolution, and the second the consequence of the war of 1812. Both were resorted to in the delusive hope that they would restore public credit, and afford relief to the government and to the business of the country.

Those of our public men who opposed the whole "American system" at its commencement, and throughout its progress, foresaw and predicted that it was fraught with incalculable mischiefs, and must result in serious injury to the best interests of the country. For a series of years their wise counsels were unheeded, and the system was established. It was soon apparent that its practical operation was unequal and unjust upon different portions of the country, and upon the people engaged in different pursuits. All were equally entitled to the favor and protection of the government. It fostered and elevated the money power, and enriched the favored few by taxing labor, and at the expense of the many. Its effect was to "make the rich richer, and the poor poorer." Its tendency was to create distinctions in society based on wealth, and to give to the favored classes undue control and sway in our government. It was an organized money power, which resisted the popular will, and sought to shape and control the public policy.

Under the pernicious workings of this combined system of measures, the country witnessed alternate seasons of temporary apparent prosperity; of sudden and disastrous commercial revulsions; of unprecedented fluctuation of prices, and depression of the great interests of agriculture, navigation, and commerce; of general pecuniary suffering, and of final bankruptcy of thousands. After a severe struggle of more than a quarter of a century, the system was overthrown.

The bank has been succeeded by a practical system of finance, conducted and controlled solely by the government. The constitutional currency has been restored; the public credit maintained unimpaired, even in a period of foreign war; and the whole country has become satisfied that banks, national or State, are not necessary as fiscal agents of the government. Revenue duties have taken the place of the protective tariff. The distribution of the money derived from the sale of the public lands has been aban-

doned, and the corrupting system of internal improvements, it is hoped, has been effectually checked.

It is not doubted, that if this whole train of measures, designed to take wealth from the many and bestow it upon the few, were to prevail, the effect would be to change the entire character of the government. One only danger remains. It is the seductions of that branch of the system which consists in internal improvements, holding out, as it does, inducements to the people of particular sections and localities to embark the government in them without stopping to calculate the inevitable consequences. This branch of the system is so intimately combined and linked with the others, that as surely as an effect is produced by an adequate cause, if it be resuscitated and revived, and firmly established, it requires no sagacity to foresee that it will necessarily and speedily draw after it the re-establishment of a national bank, the revival of a protective tariff, the distribution of the land money, and not only the postponement to the distant future of the payment of the present national debt, but its annual increase.

I entertain the solemn conviction, that if the internal improvement branch of the "American system" be not firmly resisted at this time, the whole series of measures composing it will be speedily re-established, and the country be thrown back from its present high state of prosperity, which the existing policy has produced, and be destined again to witness all the evils, commercial revulsions, depression of prices, and pecuniary embarrassments, through which we have passed during the last twenty-five years.

To guard against consequences so ruinous is an object of high national importance, involving, in my judgment, the continued prosperity of the country.

I have felt it to be an imperative obligation to withhold my constitutional sanction from two bills which had passed the two Houses of Congress, involving the principle of the internal improvement branch of the "American system," and conflicting in their provisions with the views here expressed.

This power conferred upon the President by the constitution, I have on three occasions, during my administration of the executive department of the government, deemed it my duty to exercise; and on this last occasion of making to Congress an annual communication "of the state of the Union," it is not deemed inappropriate to review the principles and considerations which have governed my action. I deem this the more necessary, because, after the lapse of nearly sixty years since the adoption of the constitution, the propriety of the exercise of this undoubted constitutional power by the President has for the first time been drawn seriously in question by a portion of my fellow citizens.

The constitution provides that "every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States: if he approve, he *shall* sign it, but if not, he *shall* return it, *with his objections*, to that house in which it shall have origina-

ted, who shall enter the objections at large on their journal, and proceed to reconsider it."

The preservation of the constitution from infraction is the President's highest duty. He is bound to discharge that duty, at whatever hazard of incurring the displeasure of those who may differ with him in opinion. He is bound to discharge it, as well by his obligations to the people who have clothed him with his exalted trust as by his oath of office, which he may not disregard. Nor are the obligations of the President in any degree lessened by the prevalence of views different from his own in one or both Houses of Congress. It is not alone hasty and inconsiderate legislation that he is required to check; but if at any time Congress shall, after apparently full deliberation, resolve on measures which he deems subversive of the constitution, or of the vital interests of the country, it is his solemn duty to stand in the breach and resist them. The President is bound to approve, or disapprove, every bill which passes Congress and is presented to him for his signature. The constitution makes this his duty, and he cannot escape it if he would. He has no election. In deciding upon any bill presented to him, he must exercise his own best judgment. If he cannot approve, the constitution commands him to return the bill to the House in which it originated, with his objections; and if he fail to do this within ten days, (Sundays excepted,) it shall become a law without his signature. Right or wrong, he may be overruled by a vote of two-thirds of each house; and, in that event, the bill becomes a law without his sanction. If his objections be not thus overruled, the subject is only postponed, and is referred to the States and the people for their consideration and decision. The President's power is negative merely, and not affirmative. He can enact no law. The only effect, therefore, of his withholding his approval of a bill passed by Congress, is to suffer the existing laws to remain unchanged, and the delay occasioned is only that required to enable the States and the people to consider and act upon the subject in the election of public agents who will carry out their wishes and instructions. Any attempt to coerce the President to yield his sanction to measures which he cannot approve, would be a violation of the spirit of the constitution, palpable and flagrant; and if successful, would break down the independence of the executive department, and make the President, elected by the people, and clothed by the constitution with power to defend their rights, the mere instrument of a majority of Congress. A surrender, on his part, of the powers with which the constitution has invested his office, would effect a practical alteration of that instrument, without resorting to the prescribed process of amendment.

With the motives or considerations which may induce Congress to pass any bill, the President can have nothing to do. He must presume them to be as pure as his own, and look only to the practical effect of their measures when compared with the constitution or the public good.

But it has been urged by those who object to the exercise of this

undoubted constitutional power, that it assails the representative principle and the capacity of the people to govern themselves; that there is greater safety in a numerous representative body than in the single Executive created by the constitution, and that the executive veto is a "one man power;" despotic in its character. To expose the fallacy of this objection, it is only necessary to consider the frame and true character of our system. Ours is not a consolidated empire, but a confederated Union. The States, before the adoption of the constitution, were co-ordinate, co-equal, and separate independent sovereignties, and by its adoption they did not lose that character. They clothed the federal government with certain powers, and reserved all others, including their own sovereignty, to themselves. They guarded their own rights as States and the rights of the people, by the very limitations which they incorporated into the federal constitution, whereby the different departments of the general government were checks upon each other. That the majority should govern is a general principle, controverted by none; but they must govern according to the constitution, and not according to an undefined and unrestrained discretion, whereby they may oppress the minority.

The people of the United States are not blind to the fact that they may be temporarily misled, and that their representatives, legislative and executive, may be mistaken or influenced in their action by improper motives. They have, therefore, interposed between themselves and the laws which may be passed by their public agents various representations, such as assemblies, senates, and governors in their several States; a House of Representatives, a Senate, and a President of the United States. The people can by their own direct agency make no law; nor can the House of Representatives, immediately elected by them; nor can the Senate; nor can both together, without the concurrence of the President, or a vote of two-thirds of both Houses.

Happily for themselves, the people, in framing our admirable system of government, were conscious of the infirmities of their representatives; and, in delegating to them the power of legislation, they have fenced them around with checks, to guard against the effects of hasty action, of error, of combination, and of possible corruption. Error, selfishness, and faction have often sought to rend asunder this web of checks, and subject the government to the control of fanatic and sinister influences; but these efforts have only satisfied the people of the wisdom of the checks which they have imposed, and of the necessity of preserving them unimpaired.

The true theory of our system is not to govern by the acts or decrees of any one set of representatives. The constitution interposes checks upon all branches of the government, in order to give time for error to be corrected and delusion to pass away; but if the people settle down into a firm conviction different from that of their representatives, they give effect to their opinions by changing *their public servants.* The checks which the people imposed on

their public servants in the adoption of the constitution, are the best evidence of their capacity for self-government. They know that the men whom they elect to public stations are of like infirmities and passions with themselves, and not to be trusted without being restricted by co-ordinate authorities and constitutional limitations. Who that has witnessed the legislation of Congress for the last thirty years will say that he knows of no instance in which measures not demanded by the public good have been carried? Who will deny that in the State governments, by combinations of individuals and sections, in derogation of the general interest, banks have been chartered, systems of internal improvement adopted, and debts entailed upon the people, repressing their growth and impairing their energies for years to come?

After so much experience, it cannot be said that absolute unchecked power is safe in the hands of any one set of representatives, or that the capacity of the people for self-government, which is admitted in its broadest extent, is a conclusive argument to prove the prudence, wisdom, and integrity of their representatives.

The people, by the constitution, have commanded the President, as much as they have commanded the legislative branch of the government, to execute their will. They have said to him in the constitution, which they require he shall take a solemn oath to support, that if Congress pass any bill which he cannot approve, "he shall return it to the House in which it originated, with his objections." In withholding from it his approval and signature, he is executing the will of the people constitutionally expressed, as much as the Congress that passed it. No bill is presumed to be in accordance with the popular will until it shall have passed through all the branches of the government required by the constitution to make it a law. A bill which passes the House of Representatives may be rejected by the Senate; and so a bill passed by the Senate may be rejected by the House. In each case the respective Houses exercise the veto power on the other.

Congress, and each House of Congress, hold, under the constitution, a check upon the President, and he, by the power of the qualified veto, a check upon Congress. When the President recommends measures to Congress, he avows, in the most solemn form, his opinions, gives his voice in their favor, and pledges himself in advance to approve them if passed by Congress. If he acts without due consideration, or has been influenced by improper or corrupt motives—or if from any other cause Congress, or either House of Congress, shall differ with him in opinion, they exercise *their veto* upon his recommendations, and reject them; and there is no appeal from their decision, but to the people at the ballot box. These are proper checks upon the Executive, wisely interposed by the constitution. None will be found to object to them, or to wish them repealed. It is equally important that the constitutional checks of the Executive upon the legislative branch should be preserved.

If it be said that the representatives in the popular branch of

Congress are chosen directly by the people, it is answered, the people elect the President. If both Houses represent the States and the people, so does the President. The President represents in the executive department the whole people of the United States, as each member of the legislative department represents portions of them.

The doctrine of restriction upon legislative and executive power, while a well settled public opinion is enabled within a reasonable time to accomplish its ends, has made our country what it is, and has opened to us a career of glory and happiness to which all other nations have been strangers.

In the exercise of the power of the veto, the President is responsible not only to an enlightened public opinion, but to the people of the whole Union, who elected him, as the representatives in the legislative branches, who differ with him in opinion, are responsible to the people of particular States, or districts, who compose their respective constituencies. To deny to the President the exercise of this power, would be to repeal that provision of the constitution which confers it upon him. To charge that its exercise unduly controls the legislative will, is to complain of the constitution itself.

If the Presidential veto be objected to upon the ground that it checks and thwarts the popular will, upon the same principle the equality of representation of the States in the Senate should be stricken out of the constitution. The vote of a senator from Delaware has equal weight in deciding upon the most important measures with the vote of a senator from New York; and yet the one represents a State containing, according to the existing apportionment of representatives in the House of Representatives, but one thirty-fourth part of the population of the other. By the constitutional composition of the Senate, a majority of that body from the smaller States represent less than one-fourth of the people of the Union. There are thirty States; and, under the existing apportionment of representatives, there are two hundred and thirty members in the House of Representatives. Sixteen of the smaller States are represented in that House by but fifty members; and yet the senators from those States constitute a majority of the Senate. So that the President may recommend a measure to Congress, and it may receive the sanction and approval of more than three-fourths of the House of Representatives, and of all the senators from the large States, containing more than three-fourths of the whole population of the United States; and yet the measure may be defeated by the votes of the senators from the smaller States. None, it is presumed, can be found ready to change the organization of the Senate on this account, or to strike that body practically out of existence, by requiring that its action shall be conformed to the will of the more numerous branch.

Upon the same principle that the veto of the President should be practically abolished, the power of the Vice President to give the *casting vote* upon an equal division of the Senate should be abol-

ished also. The Vice President exercises the veto power as effectually by rejecting a bill by his casting vote as the President does by refusing to approve and sign it. This power has been exercised by the Vice President in a few instances, the most important of which was the rejection of the bill to recharter the bank of the United States in 1811. It may happen that a bill may be passed by a large majority of the House of Representatives, and may be supported by the senators from the larger States, and the Vice President may reject it by giving his vote with the senators from the smaller States; and yet none, it is presumed, are prepared to deny to him the exercise of this power under the constitution.

But it is, in point of fact, untrue that an act passed by Congress is conclusive evidence that it is an emanation of the popular will. A majority of the whole number elected to each House of Congress constitutes a quorum, and a majority of that quorum is competent to pass laws. It might happen that a quorum of the House of Representatives, consisting of a single member more than half of the whole number elected to that House, might pass a bill by a majority of a single vote, and in that case a fraction more than one-fourth of the people of the United States would be represented by those who voted for it. It might happen that the same bill might be passed by a majority of one of a quorum of the Senate, composed of senators from the fifteen smaller States, and a single senator from a sixteenth State, and if the senators voting for it happened to be from the eight of the smallest of these States, it would be passed by the votes of senators from States having but fourteen representatives in the House of Representatives, and containing less than one-sixteenth of the whole population of the United States. This extreme case is stated to illustrate the fact, that the mere passage of a bill by Congress is no conclusive evidence that those who passed it represent the majority of the people of the United States, or truly reflect their will. If such an extreme case is not likely to happen, cases that approximate it are of constant occurrence. It is believed that not a single law has been passed, since the adoption of the constitution, upon which all the members elected to both Houses have been present and voted. Many of the most important acts which have passed Congress have been carried by a close vote in thin Houses. Many instances of this might be given. Indeed, our experience proves that many of the most important acts of Congress are postponed to the last days, and often the last hours of a session, when they are disposed of in haste, and by Houses but little exceeding the number necessary to form a quorum.

Besides, in most of the States, the members of the House of Representatives are chosen by pluralities, and not by majorities of all the voters in their respective districts; and it may happen that a majority of that House may be returned by a less aggregate vote of the people than that received by the minority.

If the principle insisted on be sound, then the constitution should be so changed that no bill shall become a law unless it is voted for

by members representing in each House a majority of the whole people of the United States. We must remodel our whole system, strike down and abolish not only the salutary checks lodged in the executive branch, but must strike out and abolish those lodged in the Senate also, and thus practically invest the whole power of the government in a majority of a single assembly—a majority uncontrolled and absolute, and which may become despotic. To conform to this doctrine of the right of majorities to rule, independent of the checks and limitations of the constitution, we must revolutionize our whole system. We must destroy the constitutional compact by which the several States agreed to form a federal Union, and rush into consolidation, which must end in monarchy or despotism. No one advocates such a proposition; and yet the doctrine maintained, if carried out, must lead to this result.

One great object of the constitution in conferring upon the President a qualified negative upon the legislation of Congress, was to protect minorities from injustice and oppression by majorities. The equality of their representation in the Senate, and the veto power of the President, are the constitutional guaranties which the smaller States have that their rights will be respected. Without these guaranties all their interests would be at the mercy of majorities in Congress representing the larger States. To the smaller and weaker States, therefore, the preservation of this power, and its exercise upon proper occasions demanding it, is of vital importance. They ratified the constitution, and entered into the Union, securing to themselves an equal representation with the larger States in the Senate; and they agreed to be bound by all laws passed by Congress upon the express condition, and none other, that they should be approved by the President, or passed, his objections to the contrary notwithstanding, by a vote of two-thirds of both Houses. Upon this condition they have a right to insist, as a part of the compact to which they gave their assent.

A bill might be passed by Congress against the will of the whole people of a particular State, and against the votes of its senators and all its representatives. However prejudicial it might be to the interest of such State, it would be bound by it if the President shall approve it, or it shall be passed by a vote of two-thirds of both Houses; but it has a right to demand that the President shall exercise his constitutional power and arrest it, if his judgment is against it. If he surrender this power, or fail to exercise it in a case where he cannot approve, it would make his formal approval a mere mockery, and would be itself a violation of the constitution, and the dissenting State would become bound by a law which had not been passed according to the sanctions of the constitution.

The objection to the exercise of the *veto* power is founded upon an idea respecting the popular will, which, if carried out, would annihilate State sovereignty, and substitute for the present federal government a consolidation, directed by a supposed numerical majority. A revolution of the government would be silently effected, and the States would be subjected to laws to which they had never *given* their constitutional consent.

The Supreme Court of the United States is invested with the power to declare, and has declared, acts of Congress passed with the concurrence of the Senate, the House of Representatives, and the approval of the President, to be unconstitutional and void; and yet none, it is presumed, can be found, who will be disposed to strip this highest judicial tribunal under the constitution of this acknowledged power—a power necessary alike to its independence and the rights of individuals.

For the same reason that the executive veto should, according to the doctrine maintained, be rendered nugatory, and be practically expunged from the constitution, this power of the court should also be rendered nugatory and be expunged, because it restrains the legislative and executive will, and because the exercise of such a power by the court may be regarded as being in conflict with the capacity of the people to govern themselves. Indeed, there is more reason for striking this power of the court from the constitution than there is that of the qualified veto of the President; because the decision of the court is final, and can never be reversed, even though both Houses of Congress and the President should be unanimous in opposition to it; whereas the veto of the President may be overruled by a vote of two-thirds of both Houses of Congress, or by the people at the polls.

It is obvious that to preserve the system established by the constitution, each of the co-ordinate branches of the government—the executive, legislative, and judicial—must be left in the exercise of its appropriate powers. If the executive or the judicial branch be deprived of powers conferred upon either as checks on the legislative, the preponderance of the latter will become disproportionate and absorbing, and the others impotent for the accomplishment of the great objects for which they were established. Organized as they are by the constitution, they work together harmoniously for the public good. If the executive and the judiciary shall be deprived of the constitutional powers invested in them, and of their due proportions, the equilibrium of the system must be destroyed, and consolidation, with the most pernicious results, must ensue—a consolidation of unchecked, despotic power exercised by majorities of the legislative branch.

The executive, legislative, and judicial, each constitutes a separate co-ordinate department of the government, and each is independent of the others. In the performance of their respective duties under the constitution, neither can, in its legitimate action, control the others. They each act upon their several responsibilities in their respective spheres; but if the doctrines now maintained be correct, the executive must become practically subordinate to the legislative, and the judiciary must become subordinate to both the legislative and the executive; and thus the whole power of the government would be merged in a single department. Whenever, if ever, this shall occur, our glorious system of well regulated self-government will crumble into ruins—to be succeeded, first by anarchy, and finally by monarchy or despotism. I am far from be-

lieving that this doctrine is the sentiment of the American people; and during the short period which remains in which it will be my duty to administer the executive department, it will be my aim to maintain its independence, and discharge its duties, without infringing upon the powers or duties of either of the other departments of the government.

The power of the executive veto was exercised by the first and most illustrious of my predecessors, and by four of his successors who preceded me in the administration of the government, and, it is believed, in no instance prejudicially to the public interests. It has never been, and there is but little danger that it ever can be abused. No President will ever desire, unnecessarily, to place his opinion in opposition to that of Congress. He must always exercise the power reluctantly, and only in cases where his convictions make it a matter of stern duty, which he cannot escape. Indeed, there is more danger that the President, from the repugnance he must always feel to come in collision with Congress, may fail to exercise it in cases where the preservation of the constitution from infraction, or the public good, may demand it, than that he will ever exercise it unnecessarily or wantonly.

During the period I have administered the executive department of the government, great and important questions of public policy, foreign and domestic, have arisen, upon which it was my duty to act. It may, indeed, be truly said that my administration has fallen upon eventful times. I have felt most sensibly the weight of the high responsibilities devolved upon me. With no other object than the public good, the enduring fame, and permanent prosperity of my country, I have pursued the convictions of my own best judgment. The impartial arbitrament of enlightened public opinion, present and future, will determine how far the public policy I have maintained, and the measures I have from time to time recommended, may have tended to advance or retard the public prosperity at home, and to elevate or depress the estimate of our national character abroad.

Invoking the blessings of the Almighty upon your deliberations at your present important session, my ardent hope is, that in a spirit of harmony and concord, you may be guided to wise results, and such as may redound to the happiness, the honor, and the glory of our beloved country.

JAMES K. POLK.

WASHINGTON, *December* 5, 1848.

The message was read.

On motion by Mr. Breese,

Ordered, That it be printed, with the accompanying documents; and that ten thousand additional copies, with the documents, be printed for the use of the Senate.

On motion by Mr. Johnson, of Louisiana,

Ordered, That Peter A. Carnes have leave to withdraw his petition and papers.

On motion,

The Senate adjourned.

WEDNESDAY, December 6, 1848.

Mr. Phelps presented the credentials of the honorable William Upham, elected a Senator by the Legislature of the State of Vermont, for the term of six years, from and after the third day of March, 1849; which were read.

The Vice President laid before the Senate a report of the Secretary of State, made agreeably to law, showing the disbursements from the contingent fund of that department for the year ending June 30, 1848; the balances remaining unexpended for the same; the disbursements for all objects during the same period; the disbursements from the fund for contingent expenses of foreign intercourse, and the disbursements from the fund for contingent expenses of the missions abroad; which was read.

The Vice President laid before the Senate a communication from the Treasurer of the United States, accompanied by his accounts with the United States for the third and fourth quarters of 1847 and the first and second quarters of 1848, as adjusted by the accounting officers; which was read.

On motion by Mr. Dickinson,

Ordered, That S. J. Bowen have leave to withdraw his petition and papers.

On motion by Mr. Davis, of Mississippi,

Ordered, That John Crawford have leave to withdraw his petition and papers.

The Senate proceeded to consider the resolution from the House of Representatives for the election of two chaplains of different denominations, one by each House, who shall interchange weekly; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Phelps,

Ordered, That Thomas Fillebrown have leave to withdraw his petition and papers.

On motion,

The Senate adjourned.

THURSDAY, December 7, 1848.

The honorable Thomas J. Rusk, from the State of Texas, and the honorable Solon Borland, from the State of Arkansas, attended.

On motion by Mr. Atherton,

Ordered, That when the Senate adjourn, it be to Monday next.

Mr. King submitted the following resolutions; which were considered by unanimous consent, and agreed to.

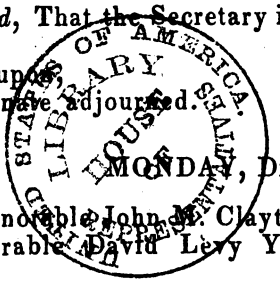
Resolved, unanimously, That the Senate, from a sincere desire of showing every mark of respect due to the memory of the honorable Dixon H. Lewis, deceased, late a member thereof, will go into mourning by wearing crape on the left arm for thirty days.

Resolved, unanimously, That as an additional mark of respect for the memory of the honorable Dixon H. Lewis, the Senate do now adjourn.

Ordered, That the Secretary inform the House of Representatives thereof.

Whereupon,

The Senate adjourned.



MONDAY, DECEMBER 11, 1848.

The honorable John M. Clayton, from the State of Delaware, and the honorable David Levy Yulee, from the State of Florida, attended.

Mr. King presented the credentials of the honorable Benjamin Fitzpatrick, appointed a Senator by the Executive of the State of Alabama, to fill the vacancy occasioned by the decease of the honorable Dixon H. Lewis; which were read: and the oath prescribed by law having been administered to Mr. Fitzpatrick, he took his seat in the Senate.

Mr. Felch presented the credentials of the honorable Solon Borland, chosen a Senator by the Legislature of the State of Arkansas, to fill the vacancy occasioned by the resignation of the honorable A. H. Sevier; which were read: and the oath prescribed by law was administered to Mr. Borland.

The Vice President laid before the Senate a report of the Secretory of the Navy, accompanied by a statement prepared agreeably to law, of appropriations for the naval service for the year ending June 30, 1848; which was read.

The Vice President laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances, made agreeably to law; which was read, and ordered to be printed.

On motion by Mr. Davis, of Mississippi, that twenty thousand additional copies be printed for the use of the Senate,

It was determined in the affirmative, { Yeas ..... 29 / Nays 21

On motion by Mr. Rusk,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Borland, Bradbury, Breese, Bright, Butler, Davis, of Mississippi, Dickinson, Dix, Dodge, Douglass, Downs, Felch, Fitzgerald, Fitzpatrick, Foote, Hamlin, Houston, Hunter, Johnson, of Georgia, King, Rusk, Sturgeon, Turney, Walker, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Benton, Berrien, Cameron, Clarke, Clayton, Corwin, Davis, of Massachusetts, Dayton, Hale, Johnson, of Maryland, Johnson, of Louisiana, Metcalfe, Miller, Niles, Pearce, Spruance, Underwood, Upham.

So it was

Ordered, That twenty thousand additional copies of the said report be printed for the use of the Senate.

Mr. Dickinson submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be requested to report to the Senate, as far as practicable, what portion of the transfers of the stocks of the United States are made for account of residents of the city of New York, or for whom said residents are acting as agents; and that he further report whether a transfer office, established in said city, would be of public convenience; and, if so, a plan for establishing the same.

Mr. Atherton submitted the following motion; which was considered by unanimous consent, and agreed to:

Ordered, That the orders passed at the close of the last session, discharging the Committees on Commerce, Pensions, Military Affairs, and Naval Affairs, from the business not reported on, be rescinded, so far as they include bills, resolutions, and reports embraced in the joint rule adopted by the Senate on the 14th of August last.

Mr. Westcott submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury communicate to the Senate such information as he may possess, with respect to the expediency of a speedy survey, by the coast survey, of the reefs and coasts of South Florida, and the making of authentic charts thereof; and also an estimate of such additional or special appropriation as may be necessary therefor.

Mr. Bradbury submitted the following resolution for consideration:

Resolved, That, until otherwise ordered, Thursday of each week be set apart for the consideration of private bills; and that at one o'clock, p. m., on Thursday next, the Senate will proceed to the consideration of those bills to the exclusion of all other business.

Mr. Cameron submitted the following motion; which was considered by unanimous consent, and agreed to:

Ordered, That, until otherwise ordered, the usual numbers of documents and reports to be printed for the Senate, be 1,250; of the Journal, 1,200; and of bills and joint resolutions of the Senate, and such bills and joint resolutions of the House of Representatives as it may be necessary to print for the use of the Senate, 500 copies; to be distributed under the direction of the Secretary, as heretofore.

Mr. Douglas presented the memorial of William H. Aspinwall, John L. Stephens, and Henry Chauncey, praying that the exclusive right may be granted them for a limited period, to transport government troops, munitions of war, supplies, and the public mails, on a railroad which they propose to construct across the isthmus of Panama.

On motion by Mr. Douglas,

Ordered, That the memorial be printed.

Mr. Badger presented a memorial of the Kehukee Primitive Baptist Association, in the State of North Carolina, praying the repeal of all laws authorizing the appointment of chaplains to Congress,

the army, navy, and other public stations, and that Congress will not further legislate on the subject of religion.

On motion by Mr. Badger,

Ordered, That it be printed.

Mr. Rusk presented the memorial of Marvin W. Fisher, praying compensation for the use, by the United States, of a machine of which he is the inventor, for charging percussion copper caps; and that his patent right therefor may be purchased by the United States.

Ordered, That it lie on the table.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: I am directed to notify the Senate that the reverend R. R. Gurley has been elected chaplain of the House of Representatives for the present session.

Mr. Davis, of Mississippi, by unanimous consent, asked and obtained leave to bring in a resolution (S. R. 41) for the appointment of regents in the Smithsonian Institution, which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed, and read a third time.

The said resolution was read a third time by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Douglas, by unanimous consent, asked and obtained leave to bring in a bill (S. 350) for the admission of California into the Union as a State; which was read, and passed to the second reading.

On motion,

Ordered, That it be printed.

The Senate proceeded to the election of a chaplain on their part; and on counting the ballots, it appeared that the reverend Henry Slicer was duly elected.

On motion by Mr. King,

Ordered, That the Senate will, to-morrow at one o'clock, proceed to the appointment of the standing committees of the Senate.

On motion,

The Senate adjourned.

TUESDAY, December 12, 1848.

The honorable John C. Calhoun, from the State of South Carolina, attended.

The Vice President laid before the Senate a report of the Secretary of the Treasury, accompanied by a report of the superintendent of the coast survey, showing the progress which has been made in that work during the past year.

On motion by Mr. Baldwin,

Ordered, That it be printed, and that two thousand additional copies be printed for the use of the Senate, two hundred and fifty *of which* to be transmitted to the office of the coast survey.

Mr. Walker presented a petition of registers and receivers of public lands in the State of Wisconsin, praying that commissions may be allowed them on all entries of military land warrants; which was referred to the Committee on Public Lands.

Mr. Downs submitted documents relating to the claim of Joseph Walker to the confirmation of his title to a tract of land; which were referred to the Committee on Private Land Claims.

Mr. Downs presented the petition of Joshua Holden, praying to be allowed the right of pre-emption to a tract of land; which was referred to the Committee on Private Land Claims.

Mr. Clarke presented the petition of the heirs of William Barton, deceased, late an officer in the revolutionary army, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. Dickinson presented the petition of William C. Sterrett, praying to be allowed a pension in consideration of injuries received while in the naval service of the United States; which was referred to the Committee on Pensions.

Mr. Bradbury presented the petition of Benjamin Stinson, praying compensation for the use of his vessel by the government as a storeship; which was referred to the Committee of Claims.

Mr. Hamlin presented a petition of citizens of Maine, praying the establishment of a mail route from Lewiston falls to Topham, in that State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Breese presented a petition of citizens of Illinois, praying the establishment of a mail route from Galatia, in Saline county, to Mount Hawkins, in Perry county, in that State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Breese presented the petition of Mary Hassell, widow of Benjamin Hassell, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Breese presented the petition of Ruth Kerr, widow of a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Cameron presented two petitions of citizens of Columbia county, Pennsylvania, praying a modification of the existing tariff; which were referred to the Committee on Finance.

Mr. Davis, of Massachusetts, presented the petition of Thomas M. Taylor, a purser in the navy, praying to be released from liabilities for certain moneys which were lost in consequence of the failure of the bank in which they were deposited; which was referred to the Committee on Naval Affairs.

Mr. Johnson, of Maryland, presented the memorial of John S. Shriver, president of certain steamboat companies engaged in the coasting trade, praying to be relieved from certain charges imposed by the act of 1793; which was referred to the Committee on Commerce.

Mr. Davis, of Massachusetts, presented the petition of Charles Colburn, *praying compensation* for his services as a yeoman in the *navy; which was referred to* the Committee of Claims.

Mr. Dix presented the petition of Charles M. Keller and others, in behalf of a convention of inventors, praying that certain defects in the patent laws may be remedied; which was referred to the Committee on Patents and the Patent Office.

Mr. Rusk presented the petition of Samuel Colt, praying that he may be authorized by law to furnish repeating fire-arms for the use of the government; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. Johnson, of Louisiana, presented the petition of Joseph Reynes, praying the confirmation of his title to a certain tract of land; which was referred to the Committee on Private Land Claims.

On motion by Mr. Upham,

Ordered, That the petition of Azel Spalding, and the documents relating to the claim of Caroline Mack, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Johnson, of Maryland,

Ordered, That the petition of Erskine and Eichelberger, on the files of the Senate, be referred to the Committee of Claims.

On motion by Mr. Johnson, of Maryland,

Ordered, That the petition of John McColgan, on the files of the Senate, be referred to the Committee on Commerce.

On motion by Mr. Dix,

Ordered, That the petition of the heirs of Joseph Watson, deceased, on the files of the Senate, be referred to the Committee of Claims.

On motion by Mr. Dix,

Ordered, That the memorial of Horace Southmayd and Son, on the files of the Senate, be referred to the Committee on Finance.

On motion by Mr. Dix,

Ordered, That the petitions of Sarah Crandall and James Wormsby, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Dix,

Ordered, That the heirs of Samuel Beach have leave to withdraw their petition.

On motion by Mr. Dickinson,

Ordered, That Asa Andrews have leave to withdraw his petition and papers.

Mr. Breese submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Kane, in Greene county, in the State of Illinois, to Witt's mill, or Jalapa, in the same county.

Mr. Dickinson submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of providing for the *advertising of mail lettings* by contract, affording full and fair opportunity for competition.

Mr. Westcott submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury communicate to the Senate such information as he may have relative to the expediency of repealing or modifying the act of June 30, 1834, concerning tonnage duty on Spanish vessels.

Mr. Niles submitted the following resolution for consideration:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate be instructed to inquire into the construction and effect of the resolution of the Senate, adopted at the last session, in relation to reporting and publishing the debates of the Senate, and whether any modification thereof is required; and that said committee also ascertain the expense which has been incurred under said resolution since its adoption.

The Senate resumed the consideration of the resolution, submitted by Mr. Westcott the 19th of April last, concerning tonnage duty on Spanish vessels; and the resolution having been modified on the motion of Mr. Westcott, was agreed to, as follows:

Resolved, That the Committee on Finance be instructed to inquire into the expediency of repealing "an act concerning tonnage duty on Spanish vessels," passed June 30, 1834, or modifying the said act so as to allow Spanish vessels from Cuba to trade between that island and any port of the United States upon the same footing, as to tonnage duties, as vessels of other foreign countries are allowed to trade between the ports of their country and the ports of the United States.

The Senate proceeded to consider the report of the select committee, made the 1st of August last, on the expediency of publishing the results of Colonel Frémont's exploring expedition to California; and,

On motion by Mr. Breese,

Ordered, That it lie on the table.

The Senate proceeded to consider the adverse report of the Committee on Revolutionary Claims on the memorial of Haym M. Salomon; and,

On motion by Mr. Dix,

Ordered, That it be recommitted to the Committee on Revolutionary Claims.

The Senate proceeded to consider the adverse report of the Committee of Claims on the memorial of E. P. Calkins and Company; and,

On motion by Mr. Rusk,

Ordered, That it be recommitted to the Committee of Claims.

The Senate proceeded to consider the adverse report of the Committee of Claims on the petition of Amos Holton; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the subject.

The Senate proceeded to consider the adverse report of the Committee on Naval Affairs on the petition of Abel Gregg; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the subject:

The Senate proceeded to consider the adverse report of the Committee on Pensions on the claim of Joseph Barclay; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Hector St. John Beetley; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Jedediah Gray; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Isaac Davenport; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Mary M. Foot; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the report of the Committee of Claims on the memorial of Littleton D. Teackle; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the memorial.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Nancy Jillson; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of John Stanert; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee of Claims on the memorial of Thomas F. Gordon; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the memorial.

The Senate proceeded to consider the adverse report of the Committee on Indian Affairs on the petition of citizens of [redacted]chester, New York, in behalf of the Tonawanda Indians; and, [redacted] concurrence therewith,

Resolved, That the prayer of the petitioners ought not to be granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Reuben M. Gibbs; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Com-

mittee on Indian Affairs on the petition of the Seneca, Onondaga, and Cayuga Indians; and in concurrence therewith,

Resolved, That the prayer of the petitioners be rejected.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the memorial of Mehitable Gibbs; and in concurrence therewith,

Resolved, That the prayer of the memorial ought not to be granted.

The Senate proceeded to consider the report of the Committee on Indian Affairs on the petition of Samuel Rusk and others; and in concurrence therewith,

Besolved, That the petitioners are not entitled to the relief prayed for.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Mary Coleman; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Leonard Gray; and, in concurrence therewith,

Resolved, That lhe prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Henrietta Bedinger; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Public Lands on the memorial of Agnes Slacke and the heirs of De Repentigny; and, in concurrence therewith,

Resolved, That the prayer of the memorialists be not granted.

The Senate proceeded to consider the adverse report of the Committee on Naval Affairs on the memorial of John Ericson; and, in concurrence therewith,

Resolved, That the prayer of the memorial ought not to be granted.

The Senate proceeded to consider the adverse report of the Committee on Private Land Claims on the petition of certain settlers on a reservation of land in Lee county, Iowa; and, in concurrence therewith,

Resolved, That the prayer of the petitioners be rejected.

The Senate proceeeded to consider the adverse report of the Committee on Naval Affairs on the petition of Ann Kelly; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the petition.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Joseph Hair; and, in concurrence therewith,

Resolved, That the prayer of the petition be not granted.

The Senate proceeded to consider the adverse report of the Committee on Naval Affairs on the memorial of John Baldwin; and, in concurrence therewith,

Ordered, That the committee be discharged from the further consideration of the memorial.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Amos Doughty; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Sarah Tyler; and, in concurrence therewith,

Resolved, That the prayer of the petition be not granted.

The Senate proceeded to consider the adverse report of the Committee on Pensions on the petition of Elijah Buchanan; and, in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the joint resolution from the Senate (S. R. 41) for the appointment of regents in the Smithsonian Institution.

Mr. King submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committees on Military Affairs and Naval Affairs consist of seven members each, for the present session.

On motion by Mr. King, and by unanimous consent,

Ordered, That the 34th rule be suspended so far as relates to the appointment, by ballot, of the standing committees of the Senate, and that the following be the standing committees, respectively:

A Committee on Foreign Relations, consisting of Mr. Hannegan, chairman, Mr. Benton, Mr. Webster, Mr. Mangum, and Mr. King.

A Committee on Finance, consisting of Mr. Atherton, chairman, Mr. Dickinson, Mr. Clayton, Mr. Hunter, and Mr. Phelps.

A Committee on Commerce, consisting of Mr. Dix, chairman, Mr. Breese, Mr. Johnson, of Maryland, Mr. Davis, of Massachusetts, and Mr. Hamlin.

A Committee on Manufactures, consisting of Mr. Dickinson, chairman, Mr. Upham, Mr. Butler, and Mr. Clarke.

A Committee on Agriculture, consisting of Mr. Sturgeon, chairman, Mr. Turney, Mr. Spruance, Mr. Atherton, and Mr. Corwin.

A Committee on Military Affairs, consisting of Mr. Benton, chairman, Mr. Davis, of Mississippi, Mr. Dix, Mr. Badger, Mr. Rusk, Mr. Borland, and Mr. Metcalfe.

A Committee on the Militia, consisting of Mr. Rusk, chairman, Mr. Atchison, Mr. Greene, Mr. Dodge, and Mr. Underwood.

A Committee on Naval Affairs, consisting of Mr. Yulee, chairman, Mr. Miller, Mr. Bright, Mr. Johnson, of Maryland, Mr. Cameron, Mr. Badger, and Mr. Dickinson.

A Committee on Public Lands, consisting of Mr. Breese, chairman, Mr. Corwin, Mr. Felch, Mr. Underwood, and Mr. Borland.

A Committee on Private Land Claims, consisting of Mr. Downs, *chairman, Mr. Foote,* Mr. Johnson, of Louisiana, and Mr. Fitzpatrick.

A Committee on Indian Affairs, consisting of Mr. Atchison, chairman, Mr. Phelps, Mr. Houston, Mr. Bell, and Mr. Foote.

A Committee of Claims, consisting of Mr. Mason, chairman, Mr. Westcott, Mr. Underwood, Mr. Bradbury, and Mr. Baldwin.

A Committee on Revolutionary Claims, consisting of Mr. Bright, chairman, Mr. Bradbury, Mr. Upham, Mr. Rusk, and Mr. Johnson, of Louisiana.

A Committee on the Judiciary, consisting of Mr. Butler, chairman, Mr. Berrien, Mr. Westcott, Mr. Dayton, and Mr. Downs.

A Committee on the Post Office and Post Roads, consisting of Mr. Niles, chairman, Mr. Sturgeon, Mr. Pearce, Mr. Rusk, and Mr. Corwin.

A Committee on Roads and Canals, consisting of Mr. Hannegan, chairman, Mr. Foote, Mr. Clarke, Mr. Walker, and Mr. Spruance.

A Committee on Pensions, consisting of Mr. Johnson, of Louisiana, chairman, Mr. Felch, Mr. Phelps, Mr. Dodge, and Mr. Baldwin.

A Committee on the District of Columbia, consisting of Mr. Johnson, of Georgia, chairman, Mr. Fitzgerald, Mr. Miller, Mr. Foote, and Mr. Greene.

A Committee on Patents and the Patent Office, consisting of Mr. Westcott, chairman, Mr. Turney, Mr. Davis, of Massachusetts, Mr. Dayton, and Mr. Sebastian.

A Committee on Retrenchment, consisting of Mr. Turney, chairman, Mr. Douglas, Mr. Mangum, Mr. Niles, and Mr. Clarke.

A Committee on Territories, consisting of Mr. Douglas, chairman, Mr. Bright, Mr. Clayton, Mr. Butler, and Mr. Davis, of Massachusetts.

A Committee on Public Buildings, consisting of Mr. Hunter, chairman, Mr. Yulee, and Mr. Spruance.

A Committee to Audit and Control the Contingent Expenses of the Senate, consisting of Mr. Walker, chairman, Mr. Niles, and Mr. Pearce.

A Committe on Printing, consisting of Mr. Cameron, chairman, Mr. Johnson, of Maryland, and Mr. Fitzpatrick.

A Committee on Engrossed Bills, consisting of Mr. Rusk, chairman, Mr. Mason, and Mr. Baldwin.

A Committee on the Library, consisting of Mr. Pearce, chairman, Mr. Davis, of Mississippi, and Mr. Mason.

A Committee on Enrolled Bills, consisting of Mr. Rusk, chairman.

The Senate proceeded to consider the resolutions submitted by Mr. Bagby the 18th of January, relative to the powers of the general government on the subject of internal improvement; and

On motion by Mr. Johnson, of Louisiana,

Ordered, That they lie on the table.

The Senate proceeded to consider the resolution submitted by Mr. Westcott the 26th of June last, in relation to the bill for the relief of Jones and Boker; and

On motion by Mr. Westcott,

Ordered, That it lie on the table.

On motion by Mr. Douglas,

Ordered, That the memorial of William H. Aspinwall and others, presented the 11th of December, be referred to the Committee on Military Affairs.

The Senate proceeded to consider the bill (H. R. 170) making appropriations for the preservation and repair upon certain harbors and rivers, and for the survey of certain harbors; and

On motion by Mr. Dix,

Ordered, That it be recommitted to the Committee on Commerce.

On motion by Mr. Yulee,

Ordered, That the bill (S. 340) to promote the efficiency of the military and naval establishment be the special order of the day for Tuesday next.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Bradbury, to set apart every Thursday for the consideration of private bills; and the resolution was agreed to.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, DECEMBER 13, 1848.

The Vice President laid before the Senate a report of the Secretary of State, made agreeably to law, showing the number and designation of passengers who arrived in each collection district of the United States during the year ending September 30, 1848; which was read.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 211) providing for the punishment of false swearing in certain cases; in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled resolution, (S. R. 41,) I am directed to bring it to the Senate for the signature of their President.

Mr. Rusk reported from the committee that they had examined, and found duly enrolled, the resolution (S. R. 41) for the appointment of regents in the Smithsonian Institution.

The Vice President signed the enrolled resolution (S. R. 41) last reported to have been examined; and it was delivered to the committee, to be presented to the President of the United States.

On motion by Mr. Allen,

Ordered, That William Tracy have leave to withdraw his petition.

Mr. Benton presented a petition of the people of New Mexico, assembled in convention, praying the establishment of a territorial government, with certain provisions in the law providing for the same; which was read.

On motion by Mr. Benton, that it be printed,

It was determined in the affirmative, { Yeas..... 33 / Nays..... 14

On motion by Mr. Benton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Badger, Baldwin, Benton, Bradbury, Breese, Butler, Cameron, Clarke, Clayton, Corwin, Dayton, Dickinson, Dix, Dodge, Douglas, Felch, Fitzgerald, Hale, Hamlin, Johnson, of Maryland, Johnson, of Louisiana, Metcalfe, Miller, Niles, Pearce, Spruance, Sturgeon, Underwood, Upham, Walker.

Those who voted in the negative are,

Messrs. Berrien, Borland, Calhoun, Davis, of Mississippi, Downs, Fitzpatrick, Foote, Houston, Hunter, King, Rusk, Turney, Westcott, Yulee.

So it was

Ordered, That the petition be printed.

On motion by Mr. Benton,

Ordered, That the petition be referred to the Committee on Territories.

Mr. Benton also presented a document relating to the subject; which was referred to the Committee on Territories.

Mr. Dickinson presented the petition of the Stockbridge tribe of Indians, praying compensation for certain lands in which they held an interest, purchased by the United States from the Delaware tribe of Indians; which was referred to the Committee on Indian Affairs.

Mr. Dix presented the memorial of John B. Emerson, praying compensation for the use by the United States of an improvement in steam engines, of which he is the inventor; which was referred to the Committee on Patents and the Patent Office.

Mr. Sturgeon presented the petition of Ward, Marston and others, late officers in the marine corps, praying to be restored to the appointments which they held previous to the reduction of the corps in consequence of the termination of the war with Mexico; which was referred to the Committee on Naval Affairs.

Mr. Dix presented the memorial of James G. King and others, citizens of New York, praying the removal of the obstructions to the navigation of the Hurl Gate channel and the harbor of New York; which was referred to the Committee on Commerce.

Mr. Benton presented the petition of R. L. Baker, an officer in the army, praying to be allowed brevet pay and emoluments; which, with the papers on file relating to the claim, was referred to the Committee on Military Affairs.

Mr. Atchison presented the petition of the heirs and legal representatives of Joseph Crockett, deceased, late marshal of the district of Kentucky, and collector of direct taxes and internal revenue, praying an equitable settlement of his accounts; which was referred to the Committee of Claims.

The Vice President laid before the Senate a memorial of the Legislature of the State of Wisconsin, praying a grant of the public reservation at Fort Winnebago, for the erection of a penitentiary.

A memorial of the Legislature of the State of Wisconsin, pray-

ing the construction of a road from Nerah to Manitowoc, in that State.

A memorial of the Legislature of the State of Wisconsin, praying a grant of a quarter section of land to the widow and heirs of John Hood, late a citizen of that State, for the reasons therein mentioned; and

A memorial of the Legislature of the State of Wisconsin, praying the construction of a road from Green Bay to Fort Wilkins, in that State.

On motion by Mr. Rusk,

Ordered, That the memorial of Marvin W. Fisher be referred to the Committee on Military Affairs.

On motion by Mr. Johnson, of Maryland, that the memorial of J. S. Skinner, on the files of the Senate, praying the establishment of an agricultural department of the government, be referred to a select committee,

It was determined in the negative, { Yeas..... 20 / Nays .....: 21

On motion,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Berrien, Cameron, Clarke, Clayton, Corwin, Davis, of Massachusetts, Houston, Johnson, of Maryland, Johnson, of Louisiana, Miller, Pearce, Rusk, Spruance, Sturgeon, Turney, Upham, Walker, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Borland, Bradbury, Butler, Calhoun, Davis, of Mississippi, Dayton, Dickinson, Dix, Dodge, Downs, Felch, Foote, Hamlin, Hunter, King, Niles, Underwood, Yulee.

On motion,

Ordered, That the memorial be referred to the Committee on Agriculture.

Agreeably to notice, Mr. King asked and obtained leave to bring in a bill (S. 351) authorizing the payment of interest upon the advances made by the State of Alabama for the use of the United States government, in the suppression of the Creek Indian hostilities of 1836 and 1837, in Alabama; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed, and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Vice President laid before the Senate a report of the Treasurer of the United States, made agreeably to law, accompanied by copies of his account of receipts and disbursements of the Post Office Department for the year ending the 30th of June, 1848; which was read.

On motion by Mr. Underwood,

Ordered, That it be printed.

On motion by Mr. Johnson, of Louisiana,

Ordered, That Mr. Badger be appointed on the Committee on Private Land Claims.

On motion by Mr. Rusk,

Ordered, That Mr. Fitzgerald be appointed one of the Committee on Enrolled Bills.

On motion by Mr. Dickinson,

Ordered, That Mr. Sebastian be appointed one of the Committee on Manufactures.

On motion,

The Senate adjourned.

THURSDAY, December 14, 1848.

The honorable Daniel Webster, from the State of Massachusetts, attended.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating a report of the Commissioner of the General Land Office, exhibiting the operations of that branch of the public service during the year 1848; which was read, referred to the Committee on Public Lands, and ordered to be printed.

The Vice President presented a communication from Joseph G. Totten, chief of the engineer department, accompanied by a memorial of Isaac S. K. Reeves, an officer of the army, performing the duties of adjutant of the military academy at West Point, praying to be allowed the pay and emoluments of adjutants of dragoons.

Mr. Johnson, of Louisiana, presented the petition of Ward Marston, late an officer in the marine corps, praying to be restored to the appointment which he held in the corps previous to its reduction in consequence of the termination of the Mexican war; which was referred to the Committee on Naval Affairs.

Mr. Johnson, of Louisiana, presented a petition of registers and receivers of public lands in the State of Louisiana, praying to be allowed commissions on entries of military land warrants; which was referred to the Committee on Public Lands.

Mr. Felch presented a petition of citizens of Michigan, praying an appropriation for the survey and improvement of the harbor at the mouth of the Ontonagon river, on Lake Superior; which was referred to the Committee on Commerce.

Mr. Dix presented the petition of James Foy and others, who were employed in the quartermaster's department of the army during the war with Mexico, praying to be allowed extra pay and bounty land; which was referred to the Committee on Military Affairs.

Mr. Felch presented a petition of citizens of Michigan, praying that the pre-emption laws may be extended to the mineral lands of the United States on Lake Superior; which was referred to the Committee on Public Lands.

Mr. Dix presented the petition of Nathaniel Webb, a pensioner

of the United States, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. Hunter presented the memorial of A. G. Griman and the other heirs of Andrew Glassell, deceased, praying indemnity for French spoliations prior to 1800; which was referred to the Committee on Foreign Relations.

Mr. Breese presented the petition of Rosanna Maury, widow of a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

On motion by Mr. Westcott,

Ordered, That the petition of the administrator of Francis Cazeau, deceased, on the files of the Senate, be referred to the Committee on the Judiciary.

On motion by Mr. Underwood,

Ordered, That the memorial of Joseph Radcliff and the petition of John Bruce, on the files of the Senate, be referred to the Committee of Claims.

On motion by Mr. Sturgeon,

Ordered, That the petition of Benjamin Miller, and the documents relating to the claim of William Parkeson, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Dayton,

Ordered, That Aaron Carman have leave to withdraw the documents accompanying his petition.

Mr. Johnson, of Louisiana, submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Pensions be instructed to inquire into the expediency of reporting a bill providing for the confirmation of the claim of Benjamin F. Bosworth, for bounty lands.

On motion by Mr. Badger,

Ordered, That when the Senate adjourn, it be to Monday next.

On motion by Mr. Hale,

Ordered, That Pearson Cogswell have leave to withdraw his petition and papers.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the memorial of William H. Aspinwall and others, reported a bill (S. 352) to make compensation for the transportation of troops and supplies, for a limited time, over the isthmus of Panama; which was read, and passed to the second reading.

On motion by Mr. Benton,

Ordered, That the further consideration thereof be postponed to and made the order of the day for Monday next.

Agreeably to notice, Mr. Cameron asked and obtained leave to bring in a bill (S. 353) to provide for taking the seventh census or enumeration of the inhabitants of the United States; which was read the first and second times by unanimous consent.

On motion by Mr. Cameron,

Ordered, That it be referred to a select committee, to be appointed by the Vice President; and

Mr. Cameron, Mr. Davis, of Massachusetts, Mr. Butler, Mr. Underwood, and Mr. Breese, were appointed the committee.

On motion by Mr. Underwood, the vote of yesterday for the printing a report of the Treasurer of the United States, communicating his account of receipts and disbursements of the Post Office Department, was reconsidered; and

Mr. Underwood had leave to withdraw his motion for the printing thereof.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: I am directed to inform the Senate of the death of the honorable Alexander D. Sims, late a member from the State of South Carolina, and of the proceedings of the House of Representatives thereon.

Mr. Butler submitted the following resolutions, which were considered by unanimous consent, and agreed to:

Resolved, unanimously, That the Senate has heard with deep sensibility of the death of the honorable Alexander D. Sims, a Representative from the State of South Carolina.

Resolved, unanimously, That the members of the Senate, from a sincere desire of showing every mark of respect to the memory of the deceased, will wear the usual badge of mourning for thirty days.

Resolved, That, as a further mark of respect for the memory of the deceased, the Senate do now adjourn.

Whereupon,

The Senate adjourned.

MONDAY, DECEMBER 18, 1848.

Mr. Dickinson presented the memorial of George Wilkes, praying the construction of a national road from the Missouri river to the Pacific ocean; which was referred to the Committee on Roads and Canals.

Mr. Dickinson presented a memorial of Barclay and Livingston, and other merchants in the city of New York, praying a reimbursement of the duties paid on merchandise destroyed by fire in that city the 19th July, 1845; also, the proceedings of the corporation of the city of New York in favor of the memorial; which were referred to the Committee on Finance.

Mr. Douglas presented the memorial of Henry O'Reilly, proposing, with the aid of the government, to establish a line of magnetic telegraphs from the Mississippi valley to Oregon and California; which was referred to the Committee on Territories.

Mr. Cameron presented a petition of citizens of Columbia county, and two petitions of citizens of Schulkill county, Pennsylvania, praying an increase of the duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Westcott presented the petition of Elizabeth Moss and others, heirs of Drury Ragsdale, deceased, an officer in the revolutionary war, praying to be allowed commutation pay; which was referred to the Committee on Revolutionary Claims.

Mr. Cameron presented a petition of citizens of Centre county, Pennsylvania, praying that newspapers may be made free of post-

age for the distance of thirty miles from their place of publication; which was referred to the Committee on the Post Office and Post Roads.

Mr. Sturgeon presented a petition of citizens of Centre county, Pennsylvania, praying that newspapers may be made free of postage for the distance of thirty miles from their place of publication; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dix presented a memorial of J. Disturnell, a citizen of New York, praying that an appropriation may be made for collecting certain statistical information relating to North America and the West India islands; which was referred to the select committee on the subject of the seventh census.

Mr. Johnson, of Maryland, presented the petition of Julia Martin, praying that a pension may be granted to her brother Luther Martin, late a midshipman in the navy; which was referred to the Committee on Pensions.

Mr. Johnson, of Louisiana, presented the memorial of John Collins, praying compensation for his services as a boatswain in the navy; which was referred to the Committee on Naval Affairs.

Mr. Davis, of Mississippi, presented the petition of William H. Shover, an officer in the army, praying to be allowed arrears of pay; which was referred to the Committee on Military Affairs.

Mr. Davis, of Mississippi, presented the memorial of officers of the ordnance corps of the army, praying to be allowed double rations; which was referred to the Committee on Military Affairs.

Mr. Borland presented the petition of Leonidas Wetmore, an officer in the army, praying compensation for two horses lost in the military service; which was referred to the Committee on Military Affairs.

Mr. Turney presented the petition of James M. Scantland, praying an increase of pension; which was referred to the Committee on Pensions.

On motion by Mr. Berrien,

Ordered, That the memorial of Moses E. Levy, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Yulee,

Ordered, That the petition of Isabella Stout, heir-at-law of James Samson, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Yulee,

Ordered, That the memorial of John Tucker, on the files of the Senate, be referred to the Committee on Military Affairs.

On motion by Mr. Johnson, of Maryland,

Ordered, That the petition of the representatives of Robert Sewall, on the files of the Senate, be referred to the Committee of Claims.

Mr. Downs submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Finance be instructed to inquire into the expediency of establishing a mint in the gold region

of California to coin the gold offered by American citizens at such a rate as would pay the expenses thereof and remunerate the government for the use or digging on the mineral lands belonging to the United States, until the same shall be sold.

Mr. Miller submitted the following resolution for consideration:

Resolved, That the President of the United States be requested to inform the Senate whether any and what negotiations or correspondence have taken place between this government and the government of Spain, or between any persons acting under the direction or authority of either government, in relation to the purchase of Cuba by the United States; and that he communicate to the Senate copies of such negotiations or correspondence so far as the same may be communicated consistently with the public interest.

Mr. Atherton submitted the following motion, which was considered by unanimous consent, and agreed to:

Ordered, That so much of the message of the President of the United States as relates to a tariff of duties on imports; to the collection, custody, and disbursement of the public money; to the establishment of a branch mint in California; and to the revenues of the federal government generally, be referred to the Committee on Finance.

Mr. Breese submitted the following motion, which was considered by unanimous consent, and agreed to:

Ordered, That so much of the President's message as relates to the graduation and reduction of the price of the public lands and granting pre-emption rights thereon, and all other matters pertaining to the subject of the public lands, contained in the said message, be referred to the Committee on Public Lands.

Mr. Rusk reported from the committee, that they presented to the President of the United States, the 13th instant, the resolution (S. R. 41) for the appointment of regents in the Smithsonian Institution.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 338) to authorize the draining of the everglades in the State of Florida by said State, and to grant the same to said State for that purpose; and,

Ordered, That the further consideration thereof be postponed to and made the order of the day for Wednesday next.

Agreeably to notice, Mr. Douglas asked and obtained leave to bring in a bill (S. 355) granting to the State of Illinois the right of way and a donation of public lands for making a railroad connecting the upper and lower Mississippi with the chain of lakes at Chicago; which was read the first and second times by unanimous consent, referred to the Committee on Public Lands, and ordered to be printed.

The bill (S. 350) for the admission of California into the Union as a State, was read the second time.

On motion by Mr. Douglas, that it be referred to the Committee on Territories,

It *was determined in the negative*, { Yeas..... 24 / Nays..... 25

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Baldwin, Bradbury, Breese, Bright, Cameron, Clarke, Clayton, Corwin, Davis, of Massachusetts, Dickinson, Dix, Dodge, Douglas, Felch, Fitzgerald, Hale, Hamlin, Miller, Niles, Sturgeon, Upham, Walker.

Those who voted in the negative are,

Messrs. Atchison, Badger, Bell, Benton, Berrien, Borland, Butler, Calhoun, Davis, of Mississippi, Downs, Fitzpatrick, Foote, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, King, Metcalfe, Pearce, Rusk, Turney, Underwood, Westcott, Yulee.

On motion by Mr. Berrien,

Ordered, That it be referred to the Committee on the Judiciary.

The bill (H. R. 211) providing for the punishment of false swearing in certain cases, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on the Judiciary.

Mr. Downs, agreeably to notice, asked and obtained leave to bring in a bill (S. 357) authorizing new selections of land in lieu of worthless school sections, or sections of inferior quality, and for other purposes; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Mr. King, agreeably to notice, asked and obtained leave to bring in a bill (S. 358) for the remission of duties on an equatorial telescope, contracted for in London by order of the trustees of the University of Alabama; which was read the first and second times by unanimous consent, and referred to the Committee on Finance.

The bill (S. 352) to make compensation for the transportation of troops and supplies, for a limited time, over the isthmus of Panama, was read the second time, and considered as in Committee of the Whole; and,

After debate, and the consideration of executive business,

The Senate adjourned.

TUESDAY, December 19, 1848.

The Vice President laid before the Senate a report of the Secretary of State, communicating, agreeably to law, an abstract of returns of American seamen registered in the several ports of the United States during the year ending September 30, 1848; which was read.

Mr. Rusk presented the memorial of John A. Ragan, proposing to drain the inundated public lands lying in the valley of the Mississippi river, on condition that the United States will grant him every alternate section; which was referred to the Committee on Public Lands.

Mr. Rusk presented the petition of Thomas Linard, praying compensation for forage furnished for the use of certain mounted vol-

unteers in the Mexican war; which was referred to the Committee of Claims.

Mr. Atchison presented the petition of Talcot Reed, a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Johnson, of Maryland, presented the petition of Mary Wilkinson, widow of John Wilkinson, deceased, who served on board a privateer in the last war with Great Britain, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Cameron presented the petition of William H. Burns, a master's mate in the navy, praying compensation for extra services; which was referred to the Committee on Naval Affairs.

Mr. Westcott presented the petition of Asa F. Tift, praying permission to change the name of a British ship purchased and rebuilt within the United States; which was referred to the Committee on Commerce.

Mr. Borland presented the petition of Hiram Smith, register of the land office at Champagnole, Arkansas, praying to be allowed, in the settlement of his accounts, certain incidental expenses of his office; which was referred to the Committee on Public Lands.

Mr. Benton presented the petition of James M. Lillard and the other heirs and representatives of Joseph Spencer, deceased, an officer in the revolutionary army, praying to be allowed bounty land and commutation pay; which was referred to the Committee on Pensions.

Mr. Breese presented the memorial of the Mount Carmel and Alton Railroad Company, praying a grant of public land, to aid in the construction of their railroad; which was referred to the Committee on Public Lands.

Mr. Benton submitted papers relating to the proposed railroad across the isthmus of Panama.

Ordered, That they be translated under the direction of the Secretary, and printed.

On motion by Mr. Yulee,

Ordered, That so much of the President's message as relates to naval affairs, be referred to the Committee on Naval Affairs.

Mr. Foote submitted the following resolution for consideration:

Resolved, That the resolution of the Senate, authorizing the Vice President to appoint the superintendent of the ante-room, be, and the same is hereby, rescinded; and that the superintendent now in charge be continued at his present compensation, under the authority of the Sergeant-at-arms.

Mr. Baldwin submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to ascertain, so far as the same may be practicable, and report to the Senate, the particulars of the contract existing between the government of New Grenada and Messrs. Aspinwall, Stephens, and Chauncey, in regard to the construction of the proposed railroad across the isthmus of Panama, and the terms on which the use of

such railroad for the transit of passengers and merchandise is secured to the government and people of New Grenada and of the United States.

On motion by Mr. King,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (S. 358) for the remission of duties on an equatorial telescope contracted for in London by order of the trustees of the University of Alabama.

On motion by Mr. Rusk,

Ordered, That the petition of John Irons, on the files of the Senate, be referred to the Committee on Military Affairs.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (S. 355) making a grant of the right of way, and a donation of public lands to the State of Illinois in aid of certain railroads connecting the upper and lower Mississippi with the chain of lakes at Chicago, reported it without amendment.

Mr. Breese also submitted a report on the subject, which, with the accompanying map, was ordered to be printed.

Mr. Breese, agreeably to notice, asked and obtained leave to bring in a joint resolution (S. R. 42) explaining the act to provide payment for horses and other property lost while engaged in the military service, approved January 18, 1837; which was read the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

Mr. Badger, agreeably to notice, asked and obtained leave to bring in a bill (S. 359) for the relief of William Plummer, executor of Starkey Armistead, deceased; which was read the first and second times by unanimous consent, and, with the accompanying documents, referred to the Committee on the Judiciary.

The Senate proceeded to consider the resolution submitted by Mr. Niles the 12th instant, in relation to the reporting and publishing the debates of the Senate; and the resolution was agreed to.

The Senate proceeded to consider the resolution submitted by Mr. Baldwin the 18th February, relative to the amount collected by the army of the United States in Mexico; and,

On motion by Mr. Baldwin,

Ordered, That they lie on the table.

The Senate proceeded to consider the resolution submitted by Mr. Johnson, of Maryland, the 28th of April, relative to certain appointments by the President of the United States; and,

On motion by Mr. Johnson, of Maryland,

Ordered, That it lie on the table.

The Senate proceeded to consider the resolution submitted by Mr. Benton the 14th of August, respecting the amount expended for the coast survey; which was amended, on the motion of Mr. Benton, and agreed to, as follows:

Resolved, That the President of the United States be requested to communicate to the Senate the annual amount appropriated on account of the coast survey, from the commencement of said survey.

The Senate proceeded to consider the resolution submitted by Mr. Benton the 14th of August, respecting the amount expended on the exploring expedition conducted by Captain Wilkes: which was amended and agreed to, as follows:

Resolved, That the President be requested to communicate to the Senate the total amount expended on the exploring expedition conducted by Captain Wilkes, dividing the said expenses into proper classes under different heads, so as to show the different heads of expenditure, including extra pay to officers and men, expenses of preparing, printing, engraving, and publishing the results of said expedition, and the expense, if any, which it has brought upon the Smithsonian fund.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the memorial of R. L. Baker, reported a joint resolution (S. R. 43) for the relief of Major R. L. Baker, of the ordnance corps; which was read, and passed to the second reading.

Mr. Atchison, from the Committee on Military Affairs, reported a *bill* (S. 360) to authorize the Secretary of War to make reparation for the killing of a Caddo boy by volunteer troops, in Texas; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed, and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the bill from the Senate (S. 147) for the relief of the heirs of F. Perry, Josiah Bleakley, Nicholas Jarrott, and Robert Morrison.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, DECEMBER 20, 1848.

The Vice President laid before the Senate a report of the Secretary of the Senate, accompanied by a statement, prepared agreeably to law, showing the manner in which the contingent fund of the Senate has been expended during the year ending the 2d December, 1848; which was read, and ordered to be printed.

Mr. Bright presented the petition of Samuel D. Davis, a revolutionary soldier, praying to be allowed an increase of pension; which was referred to the Committee on Revolutionary Claims.

Mr. Atherton presented the petition of John A. Webber, United States military storekeeper at Watertown, Massachusetts, praying to be allowed compensation for certain services; which was referred to the Committee on Military Affairs.

Mr. Dix presented the petition of J. W. Nye, praying compensation for the surrender of a public reservation in the city of Washington, of which he had possession under a lease from the United States; which was referred to the Committee on Public Buildings.

Mr. Johnson, of Maryland, presented the memorial of Benedict J. Heard, praying compensation for the destruction of his property by the enemy in the year 1814; which was referred to the Committee of Claims.

Mr. Foote presented the petition of William Hunley, register, and George S. Golladay, receiver of public lands in Mississippi, praying that commissions may be allowed on entries of military land warrants; which was referred to the Committee on Public Lands.

Mr. Niles submitted the following resolution for consideration:

Resolved, That the Secretary of the Treasury inform the Senate what construction has been given to the revenue act of 1846 in respect to duties accruing and collected on importations on which a bounty is paid on their exportation by any foreign country, and particularly whether the amount of such bounty has been deducted from the invoice or valuation of such imports at the place from whence exported.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate, information concerning wrecks of vessels belonging to the United States during the year ending the 30th June, 1848; which was read, and ordered to be printed.

Mr. Westcott being, on his motion, excused from serving on the Committee of Claims,

On motion by Mr. Westcott,

Ordered, That a member be appointed by the Vice President to supply the vacancy; and

Mr. Fitzpatrick was appointed.

Mr. Dix, from the Committee on Commerce, to whom was referred the petition of Asa F. Tift, reported a bill (S. 361) to authorize the issuing of a register or enrolment to the ship Anna Tift; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed, and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass; and

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Agreeably to notice, Mr. Downs asked and obtained leave to bring in a resolution (S. R. 44) directing the transportation in steam vessels of the mail from New Orleans to Vera Cruz; which was read the first and second times by unanimous consent, and refered to the Committee on Naval Affairs.

Agreeably to notice, Mr. Cameron asked and obtained leave to bring in a resolution (S. R. 45) for the relief of the heirs of George

Simpson; which was read the first and second times by unanimous consent, and referred to the Committee on the Judiciary.

The Senate proceeded to consider the resolution, submitted by Mr. Foote the 19th instant, relative to the appointment of the superintendent of the ante-room; and the resolution was agreed to.

The Senate proceeded to consider the report of the Committee of Claims on the petition of Arnold Naudain; and, in concurrence therewith,

Resolved, That the prayer of the petitioner should not be granted.

The bill (S. 349) granting to the States of Alabama and Florida the right of way and a donation of public land for making a railroad from Montgomery, in the State of Alabama, to Pensacola, in the State of Florida, and from thence to the waters of the Tensaw river or Mobile bay, in the State of Alabama, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. King,

Ordered, That it lie on the table.

The bill (S. 298) for the relief of George Poindexter was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Johnson, of Louisiana,

Ordered, That it be recommitted to the Committee of Claims.

The resolution (S. R. 39) of thanks to Colonel Doniphan, his officers, and men, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Atchison,

Ordered, That it be referred to the Committee on Military Affairs.

The resolution (S. R. 38) of thanks to Brigadier General Price, his officers, and men, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. King,

Ordered, That it be referred to the Committee on Military Affairs.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 152) to establish the territorial government of Minesota; and,

On motion by Mr. Douglas,

Ordered, That it be recommitted to the Committee on Territories.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 170) to establish the Territory of Nebraska; and,

On motion by Mr. Douglas,

Ordered, That it be recommitted to the Committee on Territories.

The bill (S. 289) to reduce the rates of postage was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Niles,

Ordered, That it be recommitted to the Committee on the Post Office and *Post Roads*.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 3) to reduce and graduate the price of the public lands, and for other purposes; and,

On motion by Mr. Breese,

Ordered, That the further consideration thereof be postponed to and made the special order of the day for the second Monday in January next.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 338) to authorize the draining of the everglades in the State of Florida, by said State, and to grant the same to said State for that purpose; and,

On motion by Mr. Westcott,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 405) to establish a collection district in New York; and having been amended, it was reported to the Senate, and the amendment was concurred in.

On motion by Mr. Upham,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 471) to admit certain articles of the growth or production of Canada into the United States free of duty upon the condition that the like articles of the growth or production of the United States are admitted into Canada free of duty; and,

On motion by Mr. Dix,

Ordered, That the further consideration thereof be postponed to and made the order of the day for Thursday, the 4th day of January next.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 378. An act for the relief of Eliza A. Mellen;

H. R. 484. An act for the relief of Philip J. Fontain; and no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Rusk reported from the committee, that they had examined and found duly enrolled the bill (S. 147) for the relief of Jean F. Perry, Josiah Bleakley, Nicholas Jarrot, and Robert Morrison.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The Vice President signed the enrolled bill (S. 147) last reported to have been examined; and it was delivered to the committee, to be presented to the President of the United States.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, the 19th instant, the enrolled resolution (S. R. 41) for the appointment of regents in the Smithsonian Institution.

Ordered, That the Secretary notify the House of Representatives accordingly.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, DECEMBER 21, 1848.

Mr. Atchison presented the credentials of the honorable William K. Sebastian, elected a Senator by the General Assembly of the State of Arkansas, to fill the vacancy occasioned by the death of the honorable Chester Ashley; which were read: and the oath prescribed by law was administered to Mr. Sebastian, and he took his seat in the Senate.

Mr. Hunter presented the petition of John B. White, heir of Robert White, deceased, a revolutionary officer, praying to be allowed arrears of pension; which was referred to the Committee on Pensions.

Mr. Upham presented a petition of citizens of Orange county, Vermont, praying the establishment of a mail route from East Corinth to Washington, and a post office at East Orange, in that State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dickinson presented the petition of Hugh W. Dobbin, an officer in the last war with Great Britain, praying remuneration for his military services; which, with the papers on the files of the Senate, relating to his claim, was referred to the Committee on Military Affairs.

Mr. Yulee presented a memorial of the warden and vestry of Trinity church, of St. Augustine, Florida, protesting against the claim set up by the Catholic Church in that city to the lot on which their church is erected; which was referred to the Committee on Private Land Claims.

Mr. Underwood presented the petition of John S. Devlin, administrator of Elijah J. Weed, deceased, late quartermaster of the marine corps, praying an equitable settlement of his accounts; which was referred to the Committee of Claims.

On motion by Mr. Felch,

Ordered, That the memorial of Thomas L. L. Brent, on the files of the Senate, be referred to the Committee on Foreign Relations.

On motion by by Mr. King,

Ordered, That the petition of C. G. Gunter, on the files of the Senate, be referred to the Committee on Private Land Claims.

Mr. Niles submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Postmaster General be directed to communi-

cate to the Senate a copy of the report made to him by S. R. Hobbie, Assistant Postmaster General.

Mr. Clarke submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to communicate to the Senate a list of all the treaties of reciprocity in navigation which have been concluded between the United States and other nations, with the date of the execution of each; also, a statement of the trade and commerce of such nations, respectively, together with the population of each, and the effect of such treaties comparatively, upon the commerce and navigation of the United States.

Mr. Bright submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to communicate to the Senate (if in his opinion not incompatible with the public service) a copy of the despatches transmitted to the Secretary of State in August last, by the resident minister at Rio Janeiro, in reference to the service and general conduct of Commodore G. W. Storer, commander-in-chief of the United States naval forces on the coast of Brazil.

On motion by Mr. Clayton, that the Senate reconsider the vote concurring in the resolution reported by the Committee of Claims, on the petition of Arnold Naudain,

Ordered, That the further consideration of the motion be postponed until to-morrow.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the Committee on Pensions be authorized to employ a clerk.

Mr. Underwood, agreeably to notice, asked and obtained leave to bring in a bill (S. 362) for the relief of Theodore Offutt; which was read the first and second times by unanimous consent, and, with the accompanying papers, referred to the Committee of Claims.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Niles, relating to the construction which has been given to the revenue act of 1846; and the resolution was agreed to.

The Senate proceeded to consider the report of the Committee on Revolutionary Claims on the petition of the heirs of Gustavus B. Horner; and,

On motion by Mr. Johnson, of Louisiana,

Ordered, That it lie on the table.

Mr. Dix, from the Committee on Military Affairs, to whom was referred the bill (S. 258) concerning the pay department of the army, reported it with amendments.

The Senate resumed the consideration of the bill (S. 349) granting to the States of Alabama and Florida the right of way and a donation of the public land for making a railroad from Montgomery, in the State of Alabama, to Pensacola, in Florida, and from thence to the waters of the Tensaw river, or Mobile bay, in the State of Alabama; and,

On motion by Mr. King,

Ordered, That it be referred to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 110) for the relief of Reuben Perry and Thomas P. Ligon; and,

On motion by Mr. Westcott,

Ordered, That the further consideration thereof be postponed until to-morrow.

The bill (S. 116) to authorize the Secretary of the Treasury, with the approbation of the Attorney General, to purchase for the United States the interest of Baylie Peyton in the tract of land upon which the light-house stands at the Southwest Pass, at the mouth of the Mississippi river, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Johnson, of Louisiana,

Ordered, That the further consideration thereof be postponed to, and made the order of the day for, Wednesday next.

The Senate resumed the consideration of the bill (H. R. 405) to establish a collection district in the State of New York, as amended; and,

Ordered, That the amendment be engrossed, and the bill read a third time.

The said bill was read a third time, as amended.

Resolved, That this bill pass, with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The bill (S. 348) for the relief of the captors of the frigate Philadelphia, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Underwood,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the bill (S. 139) for the relief of John P. Baldwin, owner of the Spanish brig Gil Blas; and,

On motion by Mr. Underwood,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the bill (S. 44) for the relief of Cadwallader Wallace; and,

On motion by Mr. Corwin,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 169) for the relief of Frederick Dawson, James Schott, and Elisha Dana Whitney; and,

On motion by Mr. Johnson, of Maryland,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 28) for the relief of Calvin Emmons; and,

On motion by Mr. Westcott,

Ordered, That the further consideration thereof be postponed until to morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 166) for the relief of Colonel Robert Wallace, aid-de-camp to General William Hull; and,

On motion by Mr. Underwood,

Ordered, That the further consideration thereof be postponed until to-morrow.

The following bills were severally read the second time, and considered as in Committee of the Whole:

S. 197. A bill to provide for the sale of lands purchased by the United States from the Saginaw tribe of Chippewa Indians, in the State of Michigan.

S. 198. A bill for the relief of Henry D. Garrison; and,

On motion,

Ordered, That the further consideration thereof be postponed until to morrow.

The bill (S. 199) for the relief of Frederick Vincent, administrator of the estate of James Le Caze, was read the second time, and considered as in Committee of the Whole; and, no amendment being made, it was reported to the Senate.

On the question, "Shall this bill be engrossed, and read a third time?"

It was determined in the negative.

So the bill was rejected.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 129. An act for the relief of Archibald Bull and Lemuel S. Finch.

H. R. 101. An act for the relief of Esther Russell.

H. R. 125. An act for the relief of Zilpha White.

H. R. 208. An act for the relief of the heirs of William Evans; and, no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass; and

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 162) for the relief of Charles Waldron; and,

On motion,

The Senate adjourned.

FRIDAY, December 22, 1848.

Mr. Dickinson presented the memorial of Ephraim F. Gilbert, praying the settlement of his claims against the government for losses sustained in executing a contract for delivering stone for the construction of Fort Niagara in the year 1817; which was referred to the Committee of Claims.

Mr. Hamlin presented the petition of Nathan Weston, junior, late a paymaster in the army, praying to be allowed the three months' extra pay granted to the officers and soldiers who served in the war with Mexico; which was referred to the Committee on Military Affairs.

Mr. Underwood presented the memorial of Charles J. Burgess, praying to be allowed bounty land and extra pay for services in the war with Mexico; which was referred to the Committee on Military Affairs.

On motion by Mr. Phelps,

Ordered, That the petition of Thomas Fillebrown, on the files of the Senate, be referred to the Committee on the Judiciary.

On motion by Mr. Underwood,

Ordered, That the petition of Archibald Williams and Charles Griffin, on the files of the Senate, be referred to the Committee of Claims.

Mr. Douglas submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the District of Columbia be instructed to inquire into the expediency and propriety of the retrocession of the said District to the State of Maryland.

Mr. Clarke submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Foreign Relations be instructed to inquire whether any alteration is necessary in our consular system in the Chinese and Turkish empires; and, also, whether any consul of the United States, or the commercial house with which he is connected, has been or is engaged in any trade in violation of the laws of either of said empires, with power to send for persons and papers; and report by bill or otherwise.

Mr. Breese submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a mail route from Hennepin, in Putnam county, Illinois, to Magnolia, in the same county and State.

On motion by Mr. Westcott,

Ordered, That the Secretary of the Senate cause each of the newspapers that have contracted to publish the debates of the Senate to be furnished with a copy of the documents printed for the use of the Senate.

Mr. Johnson, of Maryland, submitted the following resolution for consideration:

Resolved, That the President of the United States be requested to furnish the Senate with a copy of an official despatch from Mr. Wharton to the Secretary of State, dated Berlin, the 17th December, 1845, concerning a communication between the Atlantic and Pacific oceans and the Mediterranean seas, with such map or maps as accompanied the same.

On motion by Mr. Metcalfe,

Ordered, That Sally Ross, widow of William Ross, have leave to withdraw her petition and papers.

Agreeably to notice, Mr. Johnson, of Louisiana, asked and obtained leave to bring in a bill (S. 363) granting to the State of Louisiana land for internal improvements; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

The Senate resumed the consideration of the bill (S. 44) for the relief of Cadwalader Wallace; and,

On motion by Mr. Corwin,

Ordered, That the further consideration thereof be postponed to and made the order of the day for Friday next.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 162) for the relief of Charles Waldron; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Underwood, from the Committee of Claims, to whom was referred the bill (H. R. 328) for the relief of John B. Smith and Simeon Darden, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed, and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, the 21st instant, the bill (S. 147) for the relief of the heirs of Jean F. Perry, Josiah Bleakley, Nicholas Jarrott, and Robert Morrison.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Benton having been, on his motion, excused from serving as chairman of the Committee on Military Affairs,

On motion by Mr. Dix,

Ordered, That Mr. Davis, of Mississippi, be appointed chairman of that committee.

The bill (S. 336) for ascertaining claims and titles to land within the territory of California and New Mexico, to grant donation rights, and to provide for the survey of the lands therein, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Breese,

Ordered, That the further consideration thereof be postponed to and made the order of the day for Thursday next.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 338) to authorize the draining of the everglades in the State of Florida, by said State, and to grant the same to said State for that purpose;

And, after debate,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Bright,

Ordered, That when the Senate adjourn it be to Tuesday next.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, DECEMBER 26, 1848.

The Vice President being absent, the Senate proceeded to the choice of a President pro tempore, as the constitution provides; and,

On motion by Mr. Allen,

Ordered, That the honorable David R. Atchison be appointed President of the Senate pro tempore.

On motion by Mr. Bright,

Ordered, That the Secretary wait on the President of the United States, and notify him that the Senate, in the absence of the Vice President, have chosen the honorable David R. Atchison President of the Senate, pro tempore; and that he make a similar communication to the House of Representatives.

Mr. Davis, of Mississippi, presented the credentials of the honorable Augustus C. Dodge, chosen a Senator by the General Assembly of the State of Iowa; which were read: and the oath prescribed by law was administered to Mr. Dodge; and he took his seat in the Senate.

Mr. Dodge, of Wisconsin, presented the credentials of the honorable George W. Jones, chosen a Senator by the General Assembly of the State of Iowa; and the oath prescribed by law was administered to Mr. Jones; and he took his seat in the Senate.

Mr. Allen submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Senate proceed to ascertain the classes in which the Senators from the State of Iowa shall be inserted, in conformity with the resolution of the 14th of May, 1789, and as the constitution provides.

Mr. Allen submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary put into the ballot-box two papers of equal size; one of which shall be numbered one, and the other shall be numbered three; and each Senator shall draw out one paper; that the Senator who shall draw the paper numbered one, shall be inserted in the class of Senators whose term of service will

expire the third day of March, 1849; and the Senator who shall draw the paper numbered three, shall be inserted in the class of Senators whose term of service will expire the third day of March, 1853.

Whereupon,

The papers above mentioned, number one, and number three, were put by the Secretary in the box; and Mr. Dodge drew the paper number one, and is accordingly in the class of Senators whose term of service will expire the third of March, 1849; and Mr. Jones drew the paper number three, and is accordingly in the class of Senators whose term of service will expire the third day of March, 1853.

The President pro tempore laid before the Senate a communication from the Secretary of the Treasury, accompanied by a letter from the Commissioner of the General Land Office, with the annual report of the surveyor general of Louisiana; which was read.

Ordered, That they be printed.

Mr. Dickinson presented a memorial of Barclay and Livingston, and other merchants in the city of New York, praying that the duties collected on a quantity of foreign merchandise destroyed by fire in that city the 19th of July, 1845, may be refunded; which was referred to the Committee on Finance.

Mr. Badger presented the memorial of William Plummer, executor of Stark Armistead, deceased, praying to be released from a judgment in favor of the United States, which, he alleges, has been satisfied; which was referred to the Committee on the Judiciary.

Mr. Calhoun presented the memorial of Peter Von Schmidt, proposing a plan for rendering the gold mines in California productive to the United States, and praying the adoption of measures for protecting persons engaged in mining operations in that territory; which was referred to the Committee on Territories.

On motion by Mr. Sturgeon,

Ordered, That the petition of James Harley, on the files of the Senate, be referred to the Committee on Patents and the Patent Office.

Mr. Niles submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be directed to report to the Senate the amount of expenditure, for the freight of provisions, clothing, small stores, and other supplies, for our squadron in the Pacific, on the northwest coast, during the year ending the 30th June, 1848; also, during the two first quarters of the present fiscal year; also, the expenditure, if any, for transporting seamen or other persons connected with the naval service on that station; and, also, to inform the Senate of the number of officers, seamen, and marines, who have been employed on said station during the aforesaid period.

Mr. Felch submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Public Lands be instructed to *inquire into the* expediency of reducing the price of the mineral

lands on Lake Superior to the minimum price of other public lands, and of allowing pre-emption rights, as in other cases.

Mr. Underwood submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Public Lands be instructed to inquire into the expediency of establishing one or more boards of commissioners to ascertain the quantity of appropriated lands in California and New Mexico, and also, what disposition should be made of the public domain in those territories, upon which gold or other minerals are found.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills and a joint resolution of the following titles:

H. R. 85. An act for the relief of William De Buys, late postmaster at New Orleans.

H. R. 312. An act for the relief of the legal representatives of William McFarland, deceased.

H. R. 285. An act for the relief of John Campbell.

H. R. 185. An act for the relief of the grandchildren of Major General Baron De Kalb.

H. R. 307. An act for the relief of the legal representatives of Joseph Savage, deceased.

H. R. 308. An act for the relief of Charles A. Barnitz, husband of Margaret Barnitz, the only surviving heir of Lieutenant Colonel David Grier, of the army of the revolution:

H. R. 248. An act for the relief of the legal representatives of Bernard Todd, deceased.

H. R. 306. An act for the relief of the legal representatives of Captain Samuel Jones, deceased.

H. R. 336. An act for the relief of the heirs of Joshua Eddy, deceased.

H. R. 242. An act for the relief of Zachariah Lawrence, of Ohio.

H. R. 165. An act for the relief of Jeremiah Moors.

H. R. 368. An act to refund to Charles A. Kellett the tonnage duties and light money paid on the Chinese junk "Keying."

H. R. 313. An act for the relief of John J. Young, a commander in the navy of the United States.

H. R. 20. Joint resolution for the relief of Samuel T. Anderson.

H. R. 181. An act for the relief of John P. Skinner and the legal representatives of Isaac Green.

H. R. 261. An act for the relief of William Fuller; in which they request the concurrence of the Senate.

The said bills and resolution from the House of Representatives were severally read the first and second times by unanimous consent.

Ordered, That the bill numbered 85 be referred to the Committee on the Post Office and Post Roads; that the bill numbered 312 be referred to the Committee on Private Land Claims; that the bill numbered 285 be referred to the Committee on Pensions; that the bills numbered 185, 306, 307, 308, and 336 be referred to the Com-

mittee on Revolutionary Claims; that the bills numbered 165, 242, and 248, be referred to the Committee of Claims; that the bill numbered 368 be referred to the Committee on Commerce; that the bill numbered 313 and the resolution numbered 20 be referred to the Committee on Naval Affairs; and that the bill numbered 181 be referred to the Committee on the Judiciary.

The President pro tempore laid before the Senate a report of the Postmaster General, communicating, in compliance with a resolution of the Senate, a report made by S. R. Hobbie, Assistant Postmaster General.

Ordered, That the report and accompanying document be referred to the Committee on the Post Office and Post Roads, and printed.

Mr. Bell, by unanimous consent, asked and obtained leave to bring in a resolution (S. R. 46) authorizing the Secretary of War to pay John C. Mullay five hundred and fifty dollars for certain services performed, and expenses incurred for taking the census of the Cherokee Indians residing in North Carolina; which was read the first and second times by unanimous consent, and referred to the Committee on Indian Affairs.

Mr. Davis, of Mississippi, agreeably to notice, asked and obtained leave to bring in a bill (S. 364) granting to the State of Mississippi the right of way and a donation of public land for the purpose of locating and constructing a railroad from Brandon to the eastern border of said State, in the direction of Montgomery, Alabama; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 197) to provide for the sale of lands purchased by the United States from the Saginaw tribe of Chippewa Indians in the State of Michigan; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed, and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 166) for the relief of Colonel Robert Wallace, aid-de-camp to General William Hull; and no amendment being made, it was reported to the Senate.

On the question "Shall this bill pass to a third reading?"

It was determined in the affirmative, { Yeas ..... 26 / Nays 10

On motion by Mr. Niles,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Baldwin, Bell, Clarke, Clayton, Corwin, Dodge, of Wisconsin, Douglas, Downs, Felch, Fitzgerald, Hale, Houston, Johnson, of Louisiana, Metcalfe, Niles, Phelps,

Rusk, Sebastian, Sturgeon, Turney, Underwood, Upham, Walker, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atherton, Breese, Davis, of Mississippi, Dickinson, Dix, Fitzpatrick, Hamlin, Johnson, of Georgia, King.

So it was

Ordered, That this bill pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, DECEMBER 27, 1848.

Mr. Allen presented the petition of John P. Brown, praying compensation for his services as chargé d'affaires of the United States at the Sublime Porte during the absence of the minister resident; which was referred to the Committee on Foreign Relations.

Mr. Allen presented the petition of citizens of Guernsey county, Ohio, praying that newspapers may be transmitted by mail free of postage for the distance of thirty miles from their place of publication; which was referred to the Committee on the Post Office and Post Roads.

Mr. Benton presented the petition of Sashel Woods, praying to be allowed certain mining privileges in California and New Mexico; which was referred to the Committee on Public Lands.

Mr. Johnson, of Maryland, presented the petition of the heirs of William Flanigan and William Parsons, deceased, praying indemnity for losses sustained in the execution of a contract for building a frigate in the year 1813; which was referred to the Committee on Naval Affairs.

Mr. Corwin submitted additional documents relating to the bill (S. 302) to enable the proper officers of the treasury to settle the accounts of the legal representatives of Moses Shepard, deceased.

On motion by Mr. Bright,

Ordered, That the documents, on the files of the Senate, relating to the claim of the executors of Henry King, be referred to the Committeee on Revolutionary Claims.

Mr. Davis, of Mississippi, submitted the following resolution, which was considered by unanimous consent, amended on the motion of Mr. King, and agreed to:

Resolved, That the Secretary of the Treasury communicate to the Senate the expenditures for the survey of the coast from the time of its commencement, in 1807, to the period when the work was discontinued, and the results obtained; the expenditures from the period when the work was resumed, in 1834, to 1844, and the results obtained; the expenditures and results since 1844 up to the present time under *the present* superintendent.

On motion by Mr. Badger,

Ordered, That the petition of Guier and McLaughlin, on the files of the Senate, be referred to the Committee on the Post Office and Post Roads.

Mr. Westcott presented the petition of John P. Duval, praying compensation for services as acting governor of the Territory of Florida; which was referred to the Committee on Territories.

Agreeably to notice, Mr. Benton asked and obtained leave to bring in a bill (S. 365) to establish an additional land office in the State of Missouri; which was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Public Lands.

Mr. Benton, by unanimous consent, asked and obtained leave to bring in a bill (S. 366) in addition to the act entitled "An act to incorporate the Washington, Alexandria, and Georgetown Steam Packet Company;" which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That the further consideration thereof be postponed until to-morrow.

Agreeably to notice, Mr. Dodge, of Iowa, asked and obtained leave to bring in a bill (S. 367) to cause the northern boundary line of the State of Iowa to be run and marked; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Agreeably to notice, Mr. Dodge, of Iowa, asked and obtained leave to bring in a bill (S. 368) for the relief of Elisha Hampton and others, of the State of Iowa; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

The Senate proceeded to consider the resolution, submitted by by Mr. Johnson, of Maryland, the 22d instant, respecting a despatch from Mr. Wheaton on the subject of a communication between the Atlantic and Pacific oceans; and,

On motion by Mr. Johnson, of Maryland,

Ordered, That it lie on the table.

The following bill and joint resolution were read the second time, and considered as in Committee of the Whole:

S. 301. A bill for the relief of Thomas W. Chinn and others;

S. R. 43. Resolution for the relief of Major R. L. Baker, of the ordnance corps; and no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed, and read a third time.

The said bill and resolution were read a third time by unanimous consent.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Rusk reported from the committee, that they had examined *and found duly enrolled* the following bills:

H. R. 101. An act for the relief of Esther Russell.
H. R. 110. An act for the relief of Reuben Perry and Thomas P. Ligon.
H. R. 125. An act for the relief of Zilpha White.
H. R. 129. An act for the relief of Archibald Bull and Lemuel Finch.
H. R. 162. An act for the relief of Charles Waldron.
H. R. 208. An act for the relief of the heirs of William Evans.
H. R. 378. An act for the relief of Eliza A. Mellon.
H. R. 484. An act for the relief of Philip J. Pontane.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed eight enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The President pro tempore signed the eight enrolled bills this day reported to have been examined; and they were delivered to the committee, to be presented to the President of the United States.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I communicate herewith, in compliance with the request contained in the resolution of the Senate of the 19th instant, a report of the Secretary of the Treasury, with the accompanying statement, prepared by the Register of the Treasury, which exhibits the annual amount appropriated on account of the coast survey from the commencement of said survey.

JAMES K. POLK.

WASHINGTON, *December* 27, 1848.

The message was read.

Ordered, That it be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 116) to authorize the Secretary of the Treasury, with the approbation of the Attorney General, to purchase for the United States, the interest of Balie Peyton in the tract of land upon which the light-house stands at the Southwest pass at the mouth of the Mississippi river;

And, after debate,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion,

The Senate adjourned.

On motion by Mr. Badger,

Ordered, That the petition of Guier and McLaughlin, on the files of the Senate, be referred to the Committee on the Post Office and Post Roads.

Mr. Westcott presented the petition of John P. Duval, praying compensation for services as acting governor of the Territory of Florida; which was referred to the Committee on Territories.

Agreeably to notice, Mr. Benton asked and obtained leave to bring in a bill (S. 365) to establish an additional land office in the State of Missouri; which was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Public Lands.

Mr. Benton, by unanimous consent, asked and obtained leave to bring in a bill (S. 366) in addition to the act entitled "An act to incorporate the Washington, Alexandria, and Georgetown Steam Packet Company;" which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That the further consideration thereof be postponed until to-morrow.

Agreeably to notice, Mr. Dodge, of Iowa, asked and obtained leave to bring in a bill (S. 367) to cause the northern boundary line of the State of Iowa to be run and marked; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

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The Senate proceeded to consider the resolution, submitted by by Mr. Johnson, of Maryland, the 22d instant, respecting a despatch from Mr. Wheaton on the subject of a communication between the Atlantic and Pacific oceans; and,

On motion by Mr. Johnson, of Maryland,

Ordered, That it lie on the table.

The following bill and joint resolution were read the second time, and considered as in Committee of the Whole:

S. 301. A bill for the relief of Thomas W. Chinn and others;

S. R. 43. Resolution for the relief of Major R. L. Baker, of the ordnance corps; and no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed, and read a third time.

The said bill and resolution were read a third time by unanimous consent.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

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JAMES K. POLK.

WASHINGTON, *December* 27, 1848.

The message was read.

Ordered, That it be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 116) to authorize the Secretary of the Treasury, with the approbation of the Attorney General, to purchase for the United States, the interest of Balie Peyton in the tract of land upon which the light-house stands at the Southwest pass at the mouth of the Mississippi river;

And, after debate,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion,

The Senate adjourned.

On motion by Mr. King,

Ordered, That the further consideration of the bill be postponed to Tuesday next.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 139) for the relief of John P. Baldwin, owner of the Spanish brig Gil Blas; and,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the bill (S. 169) for the relief of Frederick Dawson, James Schott, and Elisha Dana Whitney; and,

On motion by Mr. Phelps,

Ordered, That it lie on the table.

The following bills were read the second time, and considered as in Committee of the Whole:

S. 205. A bill for the relief of Jesse Toler;

S. 206. A bill for the relief of David Penrod; and,

On motion by Mr. Breese,

Ordered, That they be postponed indefinitely.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 119. An act for the relief of Anthony Bissee;

H. R. 187. An act for the relief of James B. Davenport;

H. R. 191. An act to confirm Elizabeth Burriss, her heirs, or assigns, in their title to a tract of land: and having been severally amended, they were reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed, and the bills be read a third time.

The said bills were read a third time as amended.

Resolved, That they pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 190) for the relief of James P. Sexton; and having been amended,

On motion by Mr. Breese,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 194. An act for the relief of Simon Rodrigues;

H. R. 189. An act for the relief of Elisha Thomasson;

H. R. 127. An act for the relief of Hugh Riddle; and no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 29, 1848.

Mr. Underwood submitted an additional document relating to the claim of the representatives of Robert Sewall, deceased; which was referred to the Committee of Claims.

Mr. Sturgeon presented the petition of William Norris and company, manufacturers of locomotive steam engines in Philadelphia, praying to be allowed a drawback on imported iron manufactured into steam engines and exported; which was referred to the Committee on Finance.

Mr. Bright presented a petition signed by members of the legislature of the State of Indiana, praying that a pension may be granted to Gideon Walker, a soldier in the last war with Great Britain; which was referred to the Committee on Pensions.

Mr. Niles presented a petition of publishers of periodicals in the city of New York, praying that their publications may be transmitted by mail, for the purpose of exchange, free of postage; which was referred to the Committee on the Post Office and Post Roads.

Mr. Davis, of Mississippi, presented the petition of George Martin, praying to be allowed a pension in consideration of wounds received in the military service of the United States during the war with Mexico; which was referred to the Committee on Pensions.

On motion by Mr. Butler,

Ordered, That when the Senate adjourn it be to Tuesday next.

Mr. Dix, from the Committee on Commerce, to whom was referred the bill (H. R. 368) to refund to Charles A. Kellett the tonnage duties and light money paid on the Chinese junk "Keying," reported it without amendment.

Mr. Westcott, from the Committee on the Judiciary, to whom was referred the bill (S. 359) for the relief of William Plummer, executor of Starkey Armistead, deceased, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed, and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate proceeded to consider the motion, made by Mr. Clayton the 21st instant, to reconsider the vote agreeing to the resolution reported by the Committee of Claims on the petition of Arnold Naudain; and the motion was agreed to.

The Senate proceeded to consider the said report; and

Ordered, That it be referred, together with the petition of Arnold Naudain, to the Committee on Commerce.

Mr. Dodge, of Iowa, agreeably to notice, asked and obtained leave *to bring in a bill (S. 369) to establish an additional land office in Iowa; which was read, and* passed to the second reading.

The said bill was read the second time by unanimous consent.

Ordered, That it be referred to the Committee on Public Lands.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills of the following titles:

H. R. 659. An act further to continue in force the acts for the payment of horses and other property lost in the military service of the United States.

H. R. 662. An act in addition to an act in relation to military land warrants, approved August 14, 1848; in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, (H. R. 166,) I am directed to bring it to the Senate for the signature of their President.

The President pro tempore signed the enrolled bill (H. R. 166) last reported to have been examined; and it was delivered to the committee to be presented to the President of the United States.

The two bills this day brought from the House of Representatives for concurrence, were severally read the first and second times by unanimous consent.

Ordered, That the bill numbered 659 be referred to the Committee on the Judiciary; and that the bill numbered 662 be referred to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 139) for the relief of John P. Baldwin, owner of the Spanish brig Gil Blas; and, after debate,

On motion by Mr. Badger,

Ordered, That the further consideration thereof be postponed to Tuesday next.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, January 2, 1849.

The honorable George M. Dallas, Vice President of the United States, and President of the Senate, resumed the chair.

Mr. Berrien presented the credentials of the honorable George E. Badger, elected a Senator by the General Assembly of the State of North Carolina, for the term of six years from the fourth day of March, 1849; which were read.

Mr. Webster presented the memorial of Charles Colburn, praying compensation for his services as a yeoman in the naval service; which was referred to the Committee on Naval Affairs.

Mr. Davis, of Mississippi, presented the petition of Hugh Wallace Wormley, praying to be allowed a pension in consideration of disability incurred while in the naval service of the United States; which was referred to the Committee on Naval Affairs.

Mr. Westcott presented the memorial of W. W. Loring, M. E. *Van Buren, and R. M.* Morris, officers of the army, praying com-

pensation for horses lost in the military service of the United States; which was referred to the Committee on Military Affairs.

Mr. Dickinson presented a memorial of Montgomery Gibbs and others, praying that an appropriation may be made for establishing a line of electro-magnetic telegraphs across the isthmus of Panama; which was referred to the Committee on the Post Office and Post Roads.

Mr. Niles presented a petition of citizens of New York, praying a reduction of the rates of postage, and the discontinuance of the franking privilege; which was referred to the Committee on the Post Office and Post Roads.

Mr. Underwood submitted an additional document relating to the claim of the heirs of Drury Ragsdale, deceased; which was referred to the Committee on Revolutionary Claims.

On motion by Mr. Bradbury,

Ordered, That the petition of Amaziah Goodwin, on the files of the Senate, be referred to the Committee on Naval Affairs.

Mr. Clarke submitted the following resolution for consideration:

Resolved, That a select committee be appointed to inquire into the expediency of repealing the first section of the act entitled "An act in addition to an act entitled 'an act concerning discriminating duties on tonnage and imports, and to equalize the duties upon Prussian vessels and their cargoes,'" approved the 24th of May, 1828, so far as the same authorizes the President, by proclamation, to extend to the vessels of any foreign nation the right to engage in the trade between the United States and third countries, upon the same terms with American vessels.

Mr. Clarke submitted the following resolutions for consideration:

Resolved, That the President of the United States be requested to communicate to the Senate a list of all the treaties of commerce and navigation between the United States and foreign nations, conferring upon the vessels of such nations, the right of trading between the United States and the rest of the world, in the productions of every country, upon the same terms with American vessels, with the date of the proclamation of such treaties. Also, a list of the proclamations conferring similar rights upon the vessels of foreign nations, issued by the President of the United States, under the provisions of the first section of the act entitled "An act in addition to an act entitled 'an act concerning discriminating duties on tonnage and imports, and to equalize the duties on Prussian vessels and their cargoes,'" approved May 24, 1828. Also, a statement of the navigation and commerce of such nations, respectively, with the United States, since the date of the said treaties or proclamations, discriminating between the vessels and tonnage employed in the direct and indirect trade. And, also, a statement of the navigation and commerce of such nations with the United States for a period of five years before the date of such treaties or proclamations, respectively.

Resolved, That the resolution passed on the twenty-first day of December last, requesting the President of the United States to communicate to *the Senate a list of* all the several treaties of recipro-

city between the United States and foreign nations, with the dates of such treaties, and a statement of the commerce and the population of such nations, be, and the same is hereby, rescinded.

Mr. Bradbury submitted the following resolution for consideration:

Resolved, That the Committee of Claims be instructed to inquire into the expediency of providing by law for the establishment of a board of commissioners for the settlement of the claims of individuals against the government of the United States.

Mr. Mason submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee of Claims be authorized to employ a clerk on the usual terms, whose appointment shall relate back to the commencement of the present session; since which time a clerk has been so employed by said committee.

Mr. Dodge, of Iowa, submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Public Lands be instructed to inquire into the expediency of granting to the State of Iowa the buildings and quarter section of land upon which Fort Atkinson, Iowa, is situated, for an agricultural and manual labor school.

Mr. Douglas submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Finance be instructed to inquire into the expediency of directing the coinage, at the mint and branch mints of the United States, of the gold dollar and the double eagle.

Mr. Hale submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of increasing the salary of the district judge of the United States for the district of New Hampshire.

Mr. Davis, of Misissippi, from the Committee on Military Affairs, submitted a letter, signed by W. H. Aspinwall and others, communicating additional documents relating to the proposed railroad across the isthmus of Panama; which were ordered to be translated, and printed in Spanish and English, with the documents on the same subject heretofore ordered to be printed.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Julia Martin, and that it be referred to the Committee on Naval Affairs.

Mr. Rusk reported from the committee, that they had examined and found duly enrolled the following bills:

H. R. 127. An act for the relief of Hugh Riddle.

H. R. 189. An act for the relief of Elisha Thomason.

H. R. 194. An act for the relief of Simon Rodrigues.

Mr. Dodge, of Iowa, agreeably to notice, asked and obtained leave to bring in a bill (S. 370) to provide for the payment of the Iowa militia called into service in December, 1839; which was read

the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

Mr. Davis, of Mississippi, agreeably to notice, asked and obtained leave to bring in a bill (S. 371) to cancel illegal entries of public land, Columbus, Mississippi, and for other purposes; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

The Senate resumed the consideration of the bill (S. 198) for the relief of Henry D. Garrison; and,

Ordered, That it be engrossed, and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the three enrolled bills (H. R. 127, 189, and 194,) this day reported to have been examined; and they were delivered to the committee, to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 139) for the relief of John P. Baldwin, owner of the Spanish brig Gil Blas; and no amendment being made, it was reported to the Senate.

On the question, "Shall this bill be engrossed, and read a third time?"

It was determined in the negative, { Yeas..... 22 / Nays..... 23

On motion by Mr. Hale,

The yeas and nays being desired by one fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Benton, Berrien, Bradbury, Butler, Clarke, Clayton, Dayton, Dodge, of Wisconsin, Dodge, of Iowa, Downs, Foote, Houston, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Jones, Mason, Niles, Rusk, Webster, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Bell, Breese, Bright, Davis, of Massachusetts, Davis, of Mississippi, Dickinson, Dix, Felch, Fitzpatrick, Hale, Hamlin, King, Metcalfe, Phelps, Spruance, Sturgeon, Turney, Underwood, Upham, Walker.

So the bill was rejected.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 3, 1849.

Mr. Breese presented the petition of Lewis Morris, late a captain of volunteers in the Mexican war, praying compensation for his services; which was referred to the Committee on Military Affairs.

Mr. Dix presented the petition of B. O. Payne, praying to be allowed a pension in consideration of wounds received in the military service of the United States; which was referred to the Committee on Pensions.

Mr. Dix presented the petition of Samuel L. Gouverneur, executor of the late James Monroe, former President of the United States, praying the aid of government in the publication of his manuscript papers; which was referred to the Committee on the Library, and ordered to be printed.

Mr. Mason presented the petition of Maria Nourse, widow of Joseph Nourse, deceased, praying to be allowed interest on a claim heretofore allowed by act of Congress; which was referred to the Committee of Claims.

Mr. Mason presented the memorial of Roger Jones, adjutant general of the army, praying to be allowed arrears of pay; which was referred to the Committee on Military Affairs.

Mr. Walker presented the memorial of Vladislas Wankowiez, one of the heirs of Thaddeus Kosciusko, praying that a law may be passed to change the venue of a suit to which he is a party from the District of Columbia to the State of Maryland; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Sebastian presented the petition of Louis Marchand, praying indemnity for French spoliations prior to 1800; which was referred to the Committee on Foreign Relations.

Mr. Sebastian presented a memorial of the Legislature of the State of Arkansas, praying the construction of a national road from Fort Smith, in that State, to California; which was referred to the Committee on Military Affairs.

Mr. Sebastian presented a memorial of the Legislature of the State of Arkansas, praying the adoption of measures for the protection of the western frontier of that State against Indian incursions and depredations; which was referred to the Committee on Military Affairs.

Mr. Atchison presented the petition of William Jenks, praying the adoption in the military service of an improved fire-arm, of which he is the inventor; which was referred to the Committee on the Militia, and ordered to be printed.

Mr. Atchison presented the petition of James H. Duffer, a United States pensioner, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

On motion by Mr. Sebastian,

Ordered, That David Butler have leave to withdraw his petition *and papers.*

Mr. Jones, agreeably to notice, asked and obtained leave to bring in a bill (S. 372) to grant a certain quantity of land to the State of Iowa for the purpose of aiding said State to construct a railroad from Dubuque to Keokuk; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Agreeably to notice, Mr. Dodge, of Iowa, asked and obtained leave to bring in a resolution (S. R. 48) giving three months' extra pay to all officers, non-commissioned officers, musicians, and privates of the volunteer service for the term of enlistment during the late war with Mexico; which was read the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

Mr. Johnson, of Louisiana, from the Committee on Pensions, reported a bill (S. 373) to continue the office of the Commissioner of Pensions; which was read, and passed to the second reading.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the petition of James Wormsly, submitted a report, accompanied by a bill (S. 374) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Johnson, of Louisiana, from the Committee on Pensions, who were instructed to inquire into the expediency of reporting a bill providing for the confirmation of the claim of Benjamin F. Bosworth, submitted a report, accompanied by a bill (S. 375) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Felch, from the Committee on Public Lands, to whom was referred the petition of Peter W. Knaggs, submitted an adverse report; which was ordered to be printed.

Mr. Felch, from the Committee on Public Lands, to whom was referred the petition of Peter Godfroy, submitted an adverse report; which was ordered to be printed.

Mr. Breese, from the Committee on Public Lands, to whom was referred a bill (S. 365) to establish an additional land district in the State of Missouri, reported it with an amendment.

Mr. Breese also submitted documents in relation thereto; which were ordered to be printed.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (S. 367) to cause the northern boundary line of the State of Iowa to be run and marked, reported it with an amendment.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of William D. Aiken and Julia Aiken, and that it be referred to the Committee on Naval Affairs.

The Senate proceeded to consider the resolution, submitted yesterday by Mr. Bradbury, relative to a board of commissioners for

the settlement of claims against the United States; and the resolution was agreed to.

The Senate proceeded to consider the resolution, submitted by Mr. Clarke the 2d instant, respecting certain commercial treaties, which was amended on the motion of Mr. Clarke, and agreed to, as follows:

Resolved, That the President of the United States be requested to communicate to the Senate a list of all the treaties of commerce and navigation between the United States and foreign nations, conferring upon the vessels of such nations the right of trading between the United States and the rest of the world in the productions of every country upon the same terms with American vessels, with the date of the proclamation of such treaties; also, a list of the proclamations, conferring similar rights upon the vessels of foreign nations, issued by the President of the United States, under the provisions of the first section of the act entitled "An act in addition to an act entitled 'An act concerning discriminating duties on tonnage and imposts, and to equalize the duties on Prussian vessels and their cargoes,'" approved May 24, 1848; also, a statement of the navigation and commerce of such nations respectively with the United States since the date of the said treaties or proclamations, discriminating between the vessels and tonnage employed in the direct and indirect trade; and, also, a statement of the navigation and commerce of such nations with the United States for a period of five years before the date of such treaties or proclamations respectively; also, a statement of the navigation and commerce between the United States and certain colonial possessions of Great Britain in the West Indies, on the continent of South America, the Bahama islands, the Caicos, and the Bermuda or Somer island, authorized by an act of Congress entitled "An act to amend the acts regulating the commercial intercourse between the United States and certain colonies of Great Britain," approved 29th May, 1830, and the effect thereof upon the commerce of the United States.

Resolved, That the resolution, passed on the 21st day of December last, requesting the President of the United States to communicate to the Senate a list of all the several treaties of reciprocity between the United States and foreign nations, with the date of such treaties, and a statement of the commerce and population of such nations be and the same is hereby rescinded.

The Senate proceeded to consider the resolution, submitted by Mr. Clarke the 2d instant, in relation to the repeal of the first section of the "act in addition to an act entitled 'An act concerning discriminating duties;'" and the resolution was agreed to.

On motion by Mr. Clarke,

Ordered, That the select committee, in pursuance of the resolution, be appointed by the Vice President; and

Mr. Clarke, Mr. Davis, of Mississippi, and Mr. Davis, of Massachusetts, were appointed the committee.

A message from the House of Representatives, by Mr. Campbell, *their Clerk:*

Mr. President: The House of Representatives have passed a bill (H. R. 665) to supply deficiencies in the appropriations for the service of the year ending the 30th June, 1849, in which they request the concurrence of the Senate.

The said bill from the House of Representatives (H. R. 665) was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Finance.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 336) for ascertaining claims and titles to land within the territory of California and New Mexico, to grant donation rights, and to provide for the survey of the lands therein; and,

On motion by Mr. Breese,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Bell, to reconsider the vote of yesterday on ordering to a third reading the bill (S. 139) for the relief of John P. Baldwin, owner of the Spanish brig Gil Blas:

Ordered, That the further consideration of the motion be postponed until to-morrow.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, JANUARY 4, 1849.

The Vice President laid before the Senate a report of the Secretary of War, made agreeably to law, showing the amount of appropriations for the service of the War Department for the year ending June 30, 1848, the balances unexpended, and the amounts carried to the surplus fund; which was read.

Mr. Cameron presented seven petitions of citizens of Berks county, seven petitions of citizens of Schuylkill county, a petition of citizens of Lebanon county, a petition of citizens of Dauphin county, a petition of citizens of Elizabeth township, and a petition of citizens of Philadelphia county, in the State of Pennsylvania, praying an increase of the duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Cameron presented the petition of Catharine Elwes, widow of a naval surgeon, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Dickinson presented a petition of publishers of periodicals in the city of New York, praying that exchanges of their publications may be made free of postage; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dix presented a petition of citizens of New York, praying a reduction of the rates of postage and the discontinuance of the franking privilege; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dickinson presented a memorial of captains of steamboats and others in the city of New York, praying an appropriation for the removal of obstructions in the hurl gate channel; which was referred to the Committee on Commerce.

Mr. Borland presented resolutions passed by the Legislature of the State of Arkansas, in favor of the establishment of a mail route from Antoine post office, Arkansas, to Clarksville, Texas; a mail route from Ackadelphia to the county seat of Montgomery county, Arkansas; a mail route from Boonville to Ozark; and a mail route from Clarksville to St. Paul's post office, in said State.

Ordered, That they be referred to the Committee on the Post Office and Post Roads.

Mr. Dayton submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Printing be instructed to inquire into the propriety of purchasing for the use of the Senate copies of a map of the United States, the British provinces, Mexico, &c., showing the routes of the United States mail steam packets, &c., to California, lately published by J. H. Colton, of New York.

Mr. Rusk reported from the committee that they had presented to the President of the United States, the 3d instant, the following acts:

H. R. 127. An act for the relief of Hugh Riddle.

H. R. 189. An act for the relief of Elisha Thomason.

H. R. 194. An act for the relief of Simon Rodrigues.

H. R. 166. An act for the relief of Colonel Robert Wallace, aid-de-camp to General William Hull.

H. R. 101. An act for the relief of Esther Russell.

H. R. 110. An act for the relief of Reuben Perry and Thomas P. Ligon.

H. R. 125. An act for the relief of Zilpha White.

H. R. 129. An act for the relief of Archibald Bull and Lemuel S. Finch.

H. R. 162. An act for the relief of Charles Waldron.

H. R. 208. An act for the relief of the heirs of William Evans.

H. R. 378. An act for the relief of Eliza A. Mellon.

H. R. 484. An act for the relief of Philip J. Fontane.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, who were instructed to inquire into the expediency of so amending an act entitled "An act to raise for a limited time an additional military force, and for other purposes," approved February 11, 1847, as to extend the provisions of the 9th section thereof to the devisees of deceased soldiers, submitted a report; which was ordered to be printed.

Mr. Downs, from the Committee on the Judiciary, to whom was referred the bill (H. R. 211) providing for the punishment of false swearing in certain cases, reported it without amendment.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred a memorial of Adjutant General Roger Jones, submitted a report, accompanied by a bill (S. 376) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to

whom was referred the petition of James M. Scantland, reported a bill (S. 377) for his relief; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 291) requiring all moneys receivable from customs, and from all other sources, to be paid immediately into the treasury without abatement or deduction, and for other purposes; and,

On motion by Mr. Atherton,

Ordered, That it be recommitted to the Committee on Finance.

The Senate proceeded to consider the motion made by Mr. Bell, the 3d instant, to reconsider the vote on engrossing the bill (S. 139) for the relief of John P. Baldwin; and the motion was agreed to.

The Senate resumed the consideration of the said bill; and,

On motion by Mr. Westcott,

Ordered, That the further consideration of the bill be postponed until to-morrow.

The Senate proceeded to consider the motion made by Mr. Dickinson, the 18th of June last, to reconsider the vote on passing to a third reading the bill (S. 148) for the relief of John Devlin; and the motion was agreed to.

The Senate resumed the consideration of the said bill; and

On the question, "Shall this bill be engrossed and read a third time?"

It was determined in the negative, { Yeas..... 22 / Nays..... 23

On motion by Mr. Turney,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baldwin, Benton, Berrien, Cameron, Clarke, Dodge, of Wisconsin, Dodge, of Iowa, Fitzgerald, Foote, Hannegan, Houston, Johnson, of Louisiana, Jones, King, Mason, Miller, Pearce, Phelps, Rusk, Upham, Walker, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Bell, Borland, Bradbury, Breese, Bright, Butler, Clayton, Corwin, Davis, of Mississippi, Dickinson, Dix, Downs, Felch, Hunter, Metcalfe, Niles, Spruance, Turney, Underwood, Yulee.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 709) to amend the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union;" in which they request the concurrence of the Senate.

The Senate *resumed*, as in Committee of the Whole, the consid-

eration of the bill (S. 310) for the relief of Bryan Callaghan; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Yulee, that when the Senate adjourn it be to Monday next.

It was determined in the negative, { Yeas..... 20 / Nays..... 29

On motion by Mr. Downs,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bell, Benton, Berrien, Butler, Clarke, Clayton, Davis, of Massachusetts, Dayton, Hale, Hannegan, Miller, Pearce, Phelps, Rusk, Sturgeon, Turney, Upham, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Atherton, Borland, Bradbury, Breese, Bright, Corwin, Davis, of Mississippi, Dickinson, Dix, Dodge, of Iowa, Douglas, Downs, Fitzgerald, Fitzpatrick, Foote, Hamlin, Houston, Hunter, Johnson, of Louisiana, Johnson, of Georgia, Jones, King, Mason, Metcalfe, Niles, Sebastian, Spruance, Underwood, Walker.

On motion by Mr. Atchison,

The Senate adjourned.

FRIDAY, JANUARY 5, 1849.

The Vice President laid before the Senate a report of the Secretary of War, made agreeably to law, accompanied by a report of the Commissioner of Pensions, showing the pension claims rejected during the past year; which was read.

Ordered, That it be referred to to the Committee on Pensions, and be printed.

Mr. Atchison presented the memorial of Henry C. Miller and Philip W. Thompson, praying indemnity for loss of property by Indian depredations; which was referred to the Committee on Indian Affairs.

Mr. Hannegan presented the petition of A. M. Carnahan and others, praying that the United States vessels attached to the African squadron may be employed to transport emigrants from the United States to the republic of Liberia; which was referred to the Committee on the Judiciary.

Mr. Westcott submitted additional documents relating to the claim of Manuel X. Harmony; which were ordered to be printed.

Mr. Felch presented a petition of citizens of Ypsilante, Michigan, praying a reduction of the rates of postage; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dix presented the petition of Priscilla D. Twiggs, one of the representatives of the late Commodore Stephen Decatur, pray-

ing to be allowed the prize money due to that officer on account of the recapture of the frigate Philadelphia, in the harbor of Tripoli, in 1804; which was referred to the Committee on Naval Affairs.

Mr. Borland presented the petition of Joseph Kirwin, praying to be allowed an increase of his pension; which was referred to the Committee on Pensions.

Mr. Borland presented the petition of Thomas and Elizabeth Armstrong, representatives of Josiah Fletcher, deceased, praying the payment of indemnity due by the United States to the deceased on account of Indian depredations; which was referred to the Committee on Indian Affairs.

Mr. Rusk presented the memorial of Samuel Jones, surviving partner and legal representative of the firm of E. P. Calkins and Company, praying the return of certain duties exacted of him in the name of the Republic of Texas, after the annexation of that republic to the United States; which was referred to the Committee of Claims.

Mr. Bright submitted a document relating to the claim of the heirs of Joshua Eddy, an officer in the revolutionary army, to commutation pay; which was referred to the Committee on Revolutionary Claims.

Mr. Sturgeon presented a petition of citizens of Mercer county, Pennsylvania, praying that the tariff of 1842 may be restored; which was referred to the Committee on Finance.

Mr. Dickinson submitted documents relating to the return of duties on unbroken packages of merchandise, which was destroyed by fire in the city of New York, in the year 1845; which was referred to the Committee on Finance.

On motion by Mr. Sturgeon,

Ordered, That the memorial of the legatees of Thomas D. Anderson, on the files of the Senate, be referred to the Committee on Foreign Relations.

On motion by Mr. Downs,

Ordered, That Peter Randon have leave to withdraw his memorial and papers.

On motion by Mr. Bell,

Ordered, That the memorials, and all other papers or matters referred to the Committee on Indian Affairs at the last session of Congress, and which were not reported on by the committee, be recommitted to said committee.

On motion by Mr. Downs,

Ordered, That all memorials, petitions, or other papers referred to the Committees of the Senate at the last session, and remaining before them at its close, be recommitted to the same committees.

Mr. Jones submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Pensions be instructed to inquire into the expediency of increasing the pension of Isaac W. Griffith, of Iowa, on account of the loss of his right arm whilst in the service of his country, at Churubusco, in Mexico.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the petition of the heirs of William Barton, reported a bill (S. 378) for the relief of William Barton and the other surviving children of the late General William Barton; which was read, and passed to the second reading.

Mr. Johnson also submitted a report on the subject; which was ordered to be printed.

Mr. Baldwin, from the Committee of Claims, to whom was referred the bill (H. R. 413) for the relief of the widow of Lieutenant Richard E. Cochran, deceased, reported it without amendment.

Mr. Baldwin, from the Committee of Claims, to whom the following bills were referred—

H. R. 249. An act for the relief of the legal representatives of Robert Fulton, deceased;

H. R. 359. An act for the relief of A. C. Bryan and others, reported the same without amendment.

Mr. Underwood, from the Committee of Claims, to whom was referred the bill (S. 362) for the relief of Theodore Offutt, reported it without amendment, and submitted a special report on the subject; which was ordered to be printed.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the resolution (S. R. 36) explanatory of the act of June 2, 1848, entitled "An act to refund money for expenses incurred, subsistence or transportation furnished for the use of volunteers during the present war, before being mustered and received into the service of the United States, submitted a report on the subject; which was ordered to be printed.

Mr. Bradbury, from the Committee of Claims, to whom was recommitted the memorial of E. P. Calkins and Company, submitted an adverse report; which was ordered to be printed.

Agreeably to notice, Mr. Borland asked and obtained leave to bring in a bill (S. 379) to grant to the State of Arkansas the Hot Spring reservation therein, and for other purposes; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Agreeably to notice, Mr. Atchison asked and obtained leave to bring in a bill (S. 380) granting to the State of Missouri the right of way and a donation of public lands for making a railroad from Lexington, on the Missouri river, to Ohio city, on the mouth of the Ohio river, in said State; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Agreeably to notice, Mr. Dix asked and obtained leave to bring in a bill (S. 381) to authorize an appropriation for removing the rocks at Hurl Gate, and the reefs in the harbor of New York; which was read the first and second times by unanimous consent, and referred to the Committee on Commerce.

The Senate proceeded to consider the resolution submitted by Mr. Miller the 18th of December, in relation to any negotiations or correspondence between the government of the United States and *the government of* Spain, in relation to the purchase of Cuba.

On motion by Mr. Dickinson, that the resolution lie on the table,

It was determined in the affirmative, { Yeas ..... 24 / Nays 19

On motion by Mr. Baldwin,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Berrien, Borland, Bradbury, Breese, Dickinson, Dodge, of Wisconsin, Douglas, Downs, Felch, Fitzgerald, Fitzpatrick, Foote, Houston, Hunter, Johnson, of Louisiana, Jones, King, Mason, Rusk, Sebastian, Turney, Yulee.

Those who voted in the negative are,

Messrs. Baldwin, Benton, Clarke, Clayton, Corwin, Davis, of Massachusetts, Dayton, Dix, Hale, Hamlin, Metcalfe, Miller, Niles, Pearce, Phelps, Spruance, Underwood, Upham, Westcott.

So it was

Ordered, That the resolution lie on the table.

The bill (H. R. 700) to amend the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union," was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on the Judiciary.

The Vice President laid before the Senate the following reports:

I. Report of the Secretary of War, made agreeably to law, accompanied by statements of expenditures from the appropriations for contingencies of the various offices and bureaus of the department.

II. Report of the Secretary of War, made agreeably to law, accompanied by a statement of the expenses of the national armories, and of the number of arms and appendages made and repaired during the fiscal year ending June 30, 1848.

The reports were read.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a resolution from the Senate (S. 47) relating to the compensation of persons appointed to deliver the votes for President and Vice President of the United States to the President of the Senate.

Mr. Rusk reported, from the committee, that they had examined and found duly enrolled the resolution last mentioned.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled resolution, I am directed to bring it to the Senate for the signature of their President.

The Vice President signed the enrolled resolution (S. 47) last reported to have been examined, and it was delivered to the committee, to be presented to the President of the United States.

After the consideration of executive business,

The Senate adjourned.

MONDAY, JANUARY 8, 1849.

The Vice President laid before the Senate a report of the Secretary of War, made agreeably to law, exhibiting the expenditures, during the year 1848, from the appropriation for the contingent expenses of the military establishment; which was read, and ordered to be printed.

The Vice President laid before the Senate a report of the Secretary of War, made agreeably to law, accompanied by a report of the Commissioner of Indian Affairs, showing the persons employed in the Indian department during the year 1848; which was read, and ordered to be printed.

The Vice President laid before the Senate a report of the Commissioner of Patents, made in compliance with a resolution of the Senate of March 31, 1848, in relation to applications for patents for the prevention of the explosion of steam boilers; which was read, and referred to the Committee on Patents, and ordered to be printed.

The Vice President laid before the Senate a communication from the Secretary of the Treasury, accompanied by a report of the superintendent of the coast survey on an application of the galvanic circuit to an astronomical clock and telegraph register in determining local differences of longitudes, and in astronomical observations generally; which was read, and ordered to be printed.

On motion by Mr. Baldwin,

Ordered, That one thousand additional copies thereof be printed; two hundred and fifty of which for the use of the superintendent of the coast survey.

The Vice President laid before the Senate a report of the Commissioner of Patents, made in compliance with a resolution of the Senate of the 24th January, 1848, on the subject of the explosion of steam boilers used in boats or for engines on railroads, and the expediency of any amendments to the patent laws for the prevention thereof; which was read, and referred to the Committee on Patents and the Patent Office.

On motion by Mr. Westcott that it be printed, and that thirty thousand copies in addition to the usual number be printed for the use of the Senate.

Ordered, That the motion be referred to the Committee on Printing.

Mr. Clayton presented a memorial of pilots and masters of vessels navigating the Delaware bay and river, praying the construction of an ice harbor at Delaware city; which was referred to the Committee on Commerce.

Mr. Breese presented the petition of James Hotchkiss and others, praying to be allowed the right of pre-emption to a tract of land; which was referred to the Committee on Public Lands.

Mr. Atchison presented the petition of Anderson Estis, praying compensation for his services as a teamster in the military service; which was referred to the Committee on Military Affairs.

Mr. Breese presented a petition of citizens of Perry county, Illi-

nois, praying a grant of land to that State to aid in the construction of the Illinois Central railroad.

Ordered, That it lie on the table.

Mr. Atchison presented a petition of citizens of Hannibal, Missouri, praying a grant of public land for the support of public schools in that city; which was referred to the Committee on Public Lands.

Mr. Walker presented a petition of citizens of Wisconsin, praying the establishment of a post route from West Bend to Sheboygan, in that State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Cameron presented the petition of John W. Skiles, a volunteer in the war with Mexico, praying to be allowed bounty land; which was referred to the Committee on Pensions.

Mr. Cameron presented a memorial of citizens of Harrisburg, Pennsylvania, praying the purchase of Mount Vernon by the government; which was referred to the Committee on Agriculture.

Mr. Cameron presented a petition of citizens of Norristown, Pennsylvania, praying the abolition of slavery in the District of Columbia, and protesting against the retrocession of any portion of said District to the State of Maryland; and a petition of citizens of Montgomery county, Pennsylvania, praying that slavery may be excluded from the territories of New Mexico and California, and protesting against the extension of the limits of the State of Texas over any territory acquired from Mexico.

The motion to receive the petitions being objected to,

Ordered, That the motion lie on the table.

Mr. Cameron presented two petitions of citizens of Essex county, New York, three petitions of citizens of Lehigh county, a petition of citizens of Huntingdon county, two petitions of citizens of Columbia county, a petition of citizens of Schuylkill county, a petition of citizens of Union county, and a petition of citizens of Philadelphia, in the State of Pennsylvania, praying an increase of duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Dickinson presented a petition of citizens of New York, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Sturgeon presented the petition of Calvin Blythe, executor of Jesse D. Elliott, deceased, praying remuneration for expenses incurred by the testator in receiving and entertaining, while in command of a national vessel, the King of Greece and his suite; which was referred to the Committee on Naval Affairs.

Mr. Sturgeon presented the petition of David D. Porter, an officer in the navy, praying compensation for services as political agent of the government in the island of St. Domingo; which was referred to the Committee on Foreign Relations.

Mr. King presented the memorial of the Mobile and Ohio Railroad Company, praying to be allowed the right of way and a grant

of public land for the construction of their railroad; which was referred to the Committee on Public Lands.

Mr. Pearce presented the memorial of the Massachusetts Historical Society, praying a donation of a copy of the American archives for the use of their library; which was referred to the Committee on the Library.

Mr. Pearce submitted a communication from Winthrop W. Cheney and S. E. Guild, executors of Abel Phelps, deceased, addressed to the Committee on the Library, in relation to the portraits of the early Presidents of the United States, now in the Library of Congress; which was referred to the Committee on the Library.

Mr. Borland presented the memorial of William Bayard and Company, praying to be allowed the right of way and a grant of public land for a railroad from the Mississippi river to California; which was referred to the Committee on Public Lands.

Mr. Corwin presented a petition of citizens of Essex county, New York, praying an increase of the duties on foreign manufactures; which was referred to the Committee on Finance.

Mr. Corwin presented a petition of the religious society of Friends in the State of Ohio, against the further extension of slavery in the territories of the United States.

The motion to receive the petition being objected to,

Ordered, That the motion lie on the table.

Mr. Westcott presented resolutions passed by the Legislature of the State of Florida, remonstrating against the removal of certain arms and munitions of war from the city of St. Augustine, and in favor of the adoption of measures for the better protection of the eastern frontier of that State; which were referred to the Committee on Military Affairs.

Mr. Westcott presented a resolution passed by the Legislature of the State of Florida, in favor of an appropriation for paying certain volunteers of that State for services in the Seminole war; which was referred to the Committee on Military Affairs.

Mr. Westcott presented a resolution passed by the Legislature of the State of Florida, in favor of a law granting bounty lands to the officers and soldiers who served in the Seminole campaign; which was referred to the Committee on Public Lands.

Mr. Westcott presented a petition of citizens of Washington county, Florida, praying a grant of a quarter section of land to the inhabitants of that county for public uses; which was referred to the Committee on Public Lands.

Mr. Bradbury presented the petition of Patrick Walker, praying a renewal of his pension; which was referred to the Committee on Pensions.

On motion by Mr. Hunter,

Ordered, That the memorial of the president and professors of the William and Mary college, in the State of Virginia, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

On motion by Mr. Cameron,

Ordered, That the petition of Rebecca Roboson, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Hale presented eight petitions of female inhabitants of the United States, praying the adoption of measures for preventing the further extension of slavery, and for suppressing the slave trade in the United States.

The motion to receive the petitions being objected to,

On motion by Mr. King, that the motion to receive lie on the table:

It was determined in the affirmative, { Yeas ..... 26 / Nays 16

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Bell, Benton, Berrien, Borland, Butler, Clayton, Davis, of Mississippi, Dickinson, Downs, Fitzgerald, Fitzpatrick, Foote, Houston, Hunter, Johnson, of Louisiana, King, Metcalfe, Pearce, Rusk, Sturgeon, Turney, Underwood, Westcott.

Those who voted in the negative are,

Messrs. Allen, Baldwin, Bradbury, Bright, Cameron, Corwin, Dayton, Dix, Felch, Hale, Hamlin, Miller, Niles, Spruance, Upham, Walker.

So it was

Ordered, That the motion lie on the table.

Mr. Houston submitted the following resolutions for consideration:

Whereas, by the acquisition of the territory of New Mexico and California, and the recent occupation of Oregon, new interests, of a great national character, have been created, the early developement of which is of the highest importance in the advancement of the prosperity of our country:

And whereas it becomes us as a wise people to take such measures as will insure protection in war, as well as in peace, to those distant portions of our republic, by establishing between them and the existing States the safest and speediest routes by land, which will always remain open, under our exclusive control, and not be subject to any change of relations between ourselves and other powerful nations: therefore,

Resolved, That a special committee be appointed, to consist of members, to inquire into and report upon the expediency of establishing a railroad by the government of the United States, for military purposes, between San Francisco, on the Pacific, and the most suitable point which may be found upon the navigable waters of the valley of the Mississippi; and that the said committee be, and are hereby, instructed to examine and report, as far as can be ascertained, according to the facts known, what would be the probable amount of gold produced to the government of the United States per annum, for a period of ten years, at the rate of an assessment of eight per cent. rent upon all that may be dug within that time in California; and, also, to report upon the expediency of applying the first proceeds of that fund to the building of such a road.

Resolved, further, That the said committee are hereby instructed to inquire into and report upon the expediency of making a military

road of the usual class between the points indicated for selection by the preceding resolution, by the employment, by the government of the United States, of such a portion of the military force as would be necessary to complete it at the earliest period.

Resolved, further, That the said committee are hereby instructed to inquire into and report the number of military posts proper to be established upon said road for the protection of the lives and property of the citizens of the United States; and report the extent of the military force which would be necessary to maintain the said posts.

The resolutions were read, and

Ordered, That they be printed.

Mr. Bell submitted the following resolution for consideration:

Resolved, That the Second Auditor and Second Comptroller of the Treasury report to the Senate, as early as practicable, what amount is due to the Cherokee nation of Indians, according to the principles established by the treaty of 1846 between the United States and the said Cherokee nation, taking as a basis for their calculation the statement of amounts made by the Commissioner of Indian Affairs, in his report of May 10, 1848.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the amendments of the Senate to the following bills:

H. R. 187. Act for the relief of James B. Davenport.

H. R. 119. Act for the relief of Anthony Bessee.

H. R. 191. Act for the relief of Elizabeth Burriss, her heirs or assigns, in their title to a tract of land.

H. R. 328. Act for the relief of John B. Smith and Simeon Darden.

H. R. 405. Act to extend certain privileges to the town of Whitehall, in the State of New York.

I am directed by the House of Representatives to request a return to the House of a joint resolution (H. R. 20) for the relief of Samuel T. Anderson.

Mr. Atchison, from the Committee on Indian Affairs, reported a resolution (S. 49) authorizing the appointment of commissioners to examine into certain Indian debt claims; which was read and passed to the second reading.

Mr. Atchison, from the Committee on Indian Affairs, reported a bill (S. 382) to provide for the extension of the existing laws in relation to Indian affairs over the Territories of Oregon, California, and New Mexico, and for the appointment of agents for the Indian tribes therein; which was read, and passed to the second reading.

Mr. Hale, by unanimous consent, asked and obtained leave to bring in a resolution (S. 50) directing a sword to be presented to the nearest male relative of the late Major Samuel Ringgold; which was read the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

Mr. Rusk reported, from the committee, that they had presented to the President of the United States, the 6th instant, the resolu-

tion (S. 47) relating to the compensation of persons appointed to deliver the votes for President and Vice President of the United States to the President of the Senate.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, the 6th instant, the resolution (S. 47) relating to compensation of persons appointed to deliver the votes for President and Vice President of the United States to the President of the Senate.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Douglas, from the Committee on Territories, to whom was referred the bill (S. 152) to establish the territorial government of Minesota, reported it with amendments.

The Senate proceeded to consider the said bill as in Committee of the Whole; and,

On motion by Mr. Douglas,

Ordered, That the further consideration of the bill be postponed to, and made the special order of the day for next Wednesday week.

Mr. Breese, agreeably to notice, asked and obtained leave to bring in a bill (S. 383) for the relief of the legal representatives of John Rice Jones, deceased; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 471) to admit certain articles of the growth or production of Canada into the United States free of duty, upon the condition that the like articles of the growth or production of the United States are admitted into Canada free of duty, with the amendments reported thereto; and the reported amendments having been disagreed to, and a further amendment being proposed,

On motion by Mr. Dix,

Ordered, That the further consideration of the bill be postponed until to-morrow.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, JANUARY 9, 1849.

Mr. Yulee presented a petition of registers and receivers of public lands in the State of Florida, praying that commissions may be allowed on entries of military land warrants; which was referred to the Committee on Public Lands.

Mr. Dodge, of Iowa, presented the petition of John W. Mount, a volunteer in the war with Mexico, praying an increase of pension; which was referred to the Committee on Pensions.

Mr. Dodge, of Iowa, presented a petition of citizens of Iowa, praying the construction of a bridge over the Des Moines river, at

Keosauqua, in that State; which was referred to the Committee on Roads and Canals.

Mr. Benton presented the petition of Frederick Dent, praying the confirmation of his title to certain tracts of land; which was referred to the Committee on Private Land Claims.

Mr. Sturgeon presented two petitions of citizens of Pennsylvania, praying an increase of the duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Rusk presented the petition of John J. Simpson, praying indemnity for damage done to his property by United States troops; which was referred to the Committee of Claims.

Mr. Cameron presented two petitions of citizens of Pennsylvania, praying an increase of the duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Cameron presented a petition of citizens of Pennsylvania, praying the purchase of Mount Vernon by the government; which was referred to the Committee on Agriculture.

Mr. Cameron submitted additional documents relating to the petition of James Harley; which were referred to the Committee on Patents and the Patent Office.

Mr. Bradbury presented a memorial of Wells and Company, and others, of New York, praying the aid of the government in the construction of a railway across the isthmus of Tehuantepec; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. Cameron presented the petition of Joseph Nock, praying indemnity for the violation, by the Post Office Department, of his contract for supplying mail locks; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dickinson presented the memorial of the Ohio and Indianapolis Railroad Company, praying a grant of public land to aid in the construction of their railroad; which was referred to the Committee on Public Lands.

Mr. Dickinson presented a petition of citizens of New York, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

On motion by Mr. Cameron,

Ordered, That the petition of Samuel H. Thompson, on the files of the Senate, be referred to the Committee on Naval Affairs.

The Senate proceeded to consider the message from the House of Representatives asking the return of the resolution (H. R. 20) for the relief of Samuel T. Anderson; and,

On motion by Mr. King,

Ordered, That the Committee on Naval Affairs be discharged from the consideration of the said resolution; and that the Secretary return the same to the House of Representatives.

Mr. Underwood presented the petition of Daniel P. Bedinger, a citizen of Kentucky, praying that an annual appropriation may be made from the treasury of the United States of a sum sufficient to defray the expense of transporting to the country of their choice

such free people of color as may hereafter wish to emigrate from the United States, and moved its reference to the Committee on the Judiciary, with certain instructions.

The reception of the petition being objected to,

On motion by Mr. Hale, that the motion to receive the petition lie on the table,

It was determined in the negative, { Yeas..... 10 / Nays..... 35

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Butler, Davis, of Mississippi, Downs, Foote, Hunter, Johnson, of Georgia, King, Mason, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Baldwin, Bell, Benton, Berrien, Bradbury, Bright, Calhoun, Cameron, Clarke, Clayton, Corwin, Dayton, Dickinson, Dodge, of Iowa, Douglas, Felch, Fitzgerald, Hale, Houston, Johnson, of Louisiana, Jones, Metcalfe, Miller, Niles, Pearce, Phelps, Rusk, Spruance, Turney, Underwood, Upham, Walker.

On motion by Mr. Dayton,

Ordered, That the further consideration of the subject be postponed until to-morrow.

On motion by Mr. Underwood, to reconsider the vote of yesterday on the motion by Mr. King, that the motion to receive certain petitions presented by Mr. Hale, lie on the table; also, the vote the 8th instant, respecting the reception of the memorial of the Ohio yearly meeting of Friends.

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Baldwin, from the Committee of Claims, to whom was referred the bill (H. R. 111) for the relief of the heirs of Joseph Gerard, reported it without amendment.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 665) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1849, reported it with amendments; which was ordered to be printed.

Mr. Pearce, by unanimous consent, asked and obtained leave to bring in a resolution (S. R. 51) authorizing the appointment of a suitable person to make a geological reconnoissance of California and Oregon, which was read the first and second times by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Yulee, agreeably to notice, asked and obtained leave to bring in a bill (S. 384) in addition to the act to regulate the exercise of the appellate jurisdiction of the Supreme Court of the United States in certain cases, and for other purposes, approved February 23, 1847; which was read the first and second times by unanimous consent, and referred to the Committee on the Judiciary.

Mr. Rusk reported, from the committee, that they had examined and found duly enrolled the following bills:

H. R. 119. An act for the relief of Anthony Bessee.

H. R. 187. An act for the relief of James B. Davenport.

H. R. 191. An act to confirm Elizabeth Burriss, her heirs or assigns, in their title to a tract of land.

H. R. 328. An act for the relief of John B. Smith and Simeon Darden.

H. R. 405. Act to extend certain privileges to the town of Whitehall, in the State of New York.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed five enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the five enrolled bills (H. R. 119, 187, 191, 328, 405) this day reported to have been examined, and they were delivered to the committee, to be presented to the President of the United States.

Mr. Berrien, from the Committee on the Judiciary, to whom was referred the bill (S. 350) for the admission of California into the Union as a State, reported the same without amendment.

Mr. Berrien also submitted a report upon the subject; which was ordered to be printed.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, January 10, 1849.

The Vice President laid before the Senate a report of the Secretary of the Navy, made agreeably to law, accompanied by a report of the Commissioner of Pensions, showing the names and residence of persons who have applied for relief under the navy pension laws; which was read.

Mr. Dickinson presented the petition of Henry W. Barnes and Randolph M. Cooley, praying compensation for clothing furnished to a regiment of New York volunteers mustered into the service of the United States during the war with Mexico; which was referred to the Committee on Military Affairs.

Mr. Dickinson presented a petition of citizens of New York, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Underwood presented the petition of G. W. Norton and P. E. Norton, praying the payment of certain bonds issued by the late republic of Texas; which was referred to the Committee on the Judiciary.

Mr. Downs presented the petition of Francis Barnes, praying compensation for services as an inspector in the custom-house at New Orleans; which was referred to the Committee on Commerce.

Mr. Davis, of Massachusetts, presented the memorial of Lucretia O. Everett, widow and administratrix of Alexander H. Everett, *deceased, late minister* to Spain, praying to be allowed, in the settle-

ment of his accounts; certain charges for office rent and difference in exchanges; which was referred to the Committee on Foreign Relations.

Mr. Davis, of Massachusetts, presented the petition of David Baker, praying an extension of his patent for an improvement in the saw-mill; which was referred to the Committee on Patents and the Patent Office.

On motion by Mr. Breese,

Ordered, That the petition of the legal representatives of John Rice Jones, on the files of the Senate, be referred to the Committee Private Land Claims.

On motion by Mr. Dickinson,

Ordered, That the heirs of Jethro Wood have leave to withdraw their petition and papers.

On motion by Mr. Metcalfe,

Ordered, That Elizabeth Adkins have leave to withdraw her petition and papers.

Mr. Yulee submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads inquire whether the counties of St. Lucie and Dade, in the State of Florida, are excluded from the benefits of the mail system; whether the provisions of the fourth section of the act of March 3, 1835, regulating the Post Office Department, have been complied with in regard to these counties; and whether any and what further legislation is necessary in the premises.

Mr. Benton submitted the following resolution for consideration:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to contract with a suitable person for compiling a synoptical index to the laws and treaties of the United States, in continuation of the like index compiled under the order of the House of Representatives of May 15, 1824.

Mr. Davis, of Mississippi, presented the petition of Peter A. Carnes, a wagon and forage master in the army, praying to be allowed a pension in consideration of disabilities contracted in the service; which was referred to the Committee on Pensions.

Mr. King presented the petition of Farley D. Thompson, praying to be released from liability as security for a defaulting postmaster; which was referred to the Committee on the Post Office and Post Roads.

Mr. Downs, from the Committee on the Judiciary, to whom was referred the bill (H. R. 181) for the relief of John P. Skinner and the legal representatives of Isaac Green, reported it without amendment.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (H. R. 22) for the relief of Elizabeth Clapper, of Muskingum county, in the State of Ohio, reported it without amendment.

Mr. Rusk reported from the committee that they had presented to the President of the United States, the 9th instant, the following acts:

H. R. 119. An act for the relief of Anthony Bessee.

H. R. 187. An act for the relief of James B. Davenport.

H. R. 191. An act to confirm Elizabeth Burriss, her heirs, or assigns, in their title to a tract of land.

H. R. 328. An act for the relief of John B. Smith and Simeon Darden.

H. R. 405. An act to extend certain privileges to the town of Whitehall, in the State of New York.

Mr. Fitzpatrick, from the Committee on Printing, who were instructed by a resolution of the Senate to inquire into the expediency of purchasing, for the use of the Senate, copies of a map of the British provinces, Mexico, &c., reported thereon.

On motion by Mr. Davis, of Massachusetts,

Ordered, That the report lie on the table.

The Senate proceeded to consider the resolution, submitted by Mr. Bell the 8th instant, respecting the claim of the Cherokee nation of Indians; and the resolution was agreed to.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 691) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1850.

On motion by Mr. Butler,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H. R. 659) further to continue in force the acts for the payment of horses and other property lost in the military service of the United States, and that it be referred to the Committee on Military Affairs.

On motion by Mr. Butler,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the petition of citizens of Indiana, presented the 5th instant, in relation to the transportation of certain colored persons; and,

On motion by Mr. Yulee,

Ordered, That said petition lie on the table.

The Senate resumed the consideration of the motion, made yesterday by Underwood, to refer the petition of Daniel P. Bedinger to the Committee on the Judiciary, with instructions to inquire and report whether Congress possesses the constitutional power to appriate money for the removal of free people of color who may choose to emigrate, and slaves who may hereafter be manumitted for the purpose, to the republic of Liberia or elsewhere; and if, in the opinion of the committee, Congress possesses the power, whether it is expedient and proper to make such appropriation.

On motion by Mr. Dayton, the motion was amended, by striking out the proposed instructions.

On motion by Mr. Dickinson, that the further consideration of the petition, with the motion to refer the same, be postponed indefinitely,

It was determined in the affirmative, { Yeas ..... 27 / Nays 23

On motion by Mr. Dickinson,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atherton, Bell, Berrien, Borland, Breese, Butler, Calhoun, Davis, of Mississippi, Dickinson, Douglas, Downs, Fitzgerald, Fitzpatrick, Foote, Hannegan, Houston, Hunter, Johnson, of Louisiana, Johnson, of Georgia, King, Mason, Pearce, Rusk, Sturgeon, Turney, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Baldwin, Benton, Bradbury, Bright, Clarke, Clayton, Corwin, Dayton, Dodge, of Iowa, Dodge, of Wisconsin, Felch, Hale, Hamlin, Jones, Metcalfe, Miller, Niles, Phelps, Spruance, Underwood, Upham, Walker.

Mr. Davis, of Misissippi, by unanimous consent, asked and obtained leave to bring in a joint resolution (S. R. 52) respecting the bounty land and extra pay allowed to the substitutes of men enlisted for the Mexican war; which was read the first and second times by unanimous consent, and referred to the Committee on Pensions.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, JANUARY 11, 1849.

The Vice President laid before the Senate a report of the Secretary of State, made agreeably to law, showing the clerks employed in the Department of State during the year 1848, and the compensation paid to each; which was read.

Mr. Bradbury presented a petition of citizens of Brunswick, Maine, praying that the rates of postage may be reduced, and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Borland presented a memorial of the General Assembly of the State of Arkansas, praying that appropriations may be made for the completion and repair of certain forts and barracks on the western frontier of that State; which was referred to the Committee on Military Affairs.

Mr. Borland presented a memorial of the General Assembly of Arkansas, praying to be allowed the right of exchanging the valueless school lands in that State for others of more value, and a grant of an additional section in each township for public schools; which was referred to the Committee on Public Lands.

Mr. Dayton presented the petition of William Green, junior, praying that a patent may be issued to him for an improvement in the process of manufacturing sheet iron; which was referred to the Committee on Patents and the Patent Office.

Mr. Breese presented the petition of Mary Hall, widow of John Hall, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Breese presented the petition of Rhoda Abney, widow of a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Niles presented the petition of William Lacon and Lewis H. Bates, praying to be indemnified for losses and expenses incurred in consequence of the illegal seizure of a quantity of iron imported by them; which was referred to the Committee on Commerce.

Mr. Johnson, of Louisiana, presented the memorial of D. A. Watterston, praying the payment of a balance due him for services as clerk to the surveyor general of Louisiana; which was referred to the Committee of Claims.

Mr. Dodge, of Iowa, submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Albia, the seat of justice of Monroe county, Iowa, via "Charlton Point," in Lucas county, to Trader's Point, on the Missouri river; from Garnevella, in Clayton county, to "Monona."

Mr. Felch, from the Committee on Public Lands, to whom was referred the bill (S. 102) for the relief of John Milliken and others, to secure certain rights to pre-emption in the State of Louisiana, and for other purposes, reported it without amendment.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, reported a bill (S. 385) amendatory of an act entitled "An act respecting the organization of the army, and for other purposes," approved August 23, 1842; which was read, and passed to the second reading.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (H. R. 662) in addition to an act entitled "An act in relation to military land warrants," approved August 14, 1848, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred a petition of Patrick Walker, reported a bill (S. 386) continuing the pension granted to Patrick Walker.

The said bill was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Johnson, of Louisiana, agreeably to notice, asked and obtained leave to bring in a bill (S. 387) to authorize the payment of invalid pensions in certain cases; which was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Pensions.

The Senate proceeded to consider the resolution submitted by Mr. Benton the 10th instant, in relation to an index to the Laws of the United States; and the resolution was agreed to:

On motion by Mr. Davis, of Massachusetts,

Ordered, That the Committee on Patents and the Patent Office be discharged from so much of the report of the Commissioner of Patents, made the 8th instant, as relates to casualties to steamboats by the bursting of boilers, and that the same be referred to the Committee on Commerce.

The Senate resumed the consideration of the bill (S. 139) for the relief of John P. Baldwin, owner of the Spanish brig Gil Blas; and,

On motion by Mr. Westcott,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 348) for the relief of the captors of the frigate Philadelphia; and,

On motion by Mr. Davis, of Mississippi,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 28) for the relief of Calvin Emmons; and having been amended on the motion of Mr. Davis, of Massachusetts,

On motion by Mr. Westcott,

Resolved, That the further consideration of the bill be postponed indefinitely.

Ordered, That the Secretary notify the House of Representatives thereof.

The bill (S. 211) for the relief of the owners of the schooner Ticonic, was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 190. An act for the relief of James P. Sexton;

H. R. 310. An act for the relief of Sarah D. Caldwell, wife of James H. Brigham; and having been severally amended, they were reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed, and that the bills be read a third time.

The bill (H. R. 310) for the relief of Sarah D. Caldwell, wife of James H. Brigham, was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The bill (H. R. 190) for the relief of James P. Sexton was read a third time as amended; and the title was amended, by adding thereto, "and Joshua Holden."

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The resolution (S. R. 18) for the relief of Ann Chase, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Hannegan,

Ordered, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 195. An act for the relief of Marcus Fulton Johnson;

H. R. 196. An act supplemental to an act approved the 6th day of July, 1842, entitled "An act confirming certain land claims in Louisiana;" and no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 314) for the relief of William M. Blackford, late chargé d'affaires to the republic of New Grenada; and,

On motion by Mr. Hunter,

Ordered, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 7) directing the mode of settling the claims of Charles G. Ridgely; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

On the question, "Shall the amendment be engrossed, and the bill be read a third time?"

It was determined in the negative, { Yeas..... 14 / Nays..... 19

On motion by Mr. Breese,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baldwin, Bell, Bradbury, Dayton, Dodge, of Wisconsin, Dodge, of Iowa, Douglas, Hannegan, Johnson, of Louisiana, Jones, Mason, Pearce, Phelps, Sturgeon.

Those who voted in the negative are,

Messrs. Atherton, Breese, Bright, Butler, Calhoun, Clarke, Davis, of Mississippi, Dickinson, Felch, Fitzgerald, Houston, Hunter, Johnson, of Georgia, King, Niles, Spruance, Turney, Walker, Westcott.

So the bill was rejected.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 350) for the admission of California into the *Union as a State; and,*

On motion by Mr. Douglas,

Ordered, That the further consideration thereof be postponed to and made the order of the day for next Monday week.

The bill (S. 212) for the relief of P. Chouteau, junior, and Company, was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

On motion by Mr. Bright,

The Senate adjourned.

FRIDAY, JANUARY 12, 1849.

The Vice President laid before the Senate the credentials of the honorable James Cooper, chosen a Senator by the Legislature of the State of Pennsylvania for the term of six years, commencing the 4th day of March, 1849; which were read.

Mr. Turney presented the petition of R. M. Edwards, praying that soldiers who served in the war with Mexico may not be required to surrender their certificates of "honorable discharge" on drawing their bounty land; which was referred to the Committee on Military Affairs.

Mr. Dickinson presented a petition of citizens of New York, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Sturgeon presented three petitions of citizens of Pennsylvania, praying an increase of the duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Westcott presented the petition of James Hook, heir of James Hook, deceased, a revolutionary officer, praying to be allowed commutation pay; which was referred to the Committee on Revolutionary Claims.

Mr. Atchison presented the memorial of the councillors and warriors of the Seneca nation of Indians, praying the payment of certain moneys of which they were unjustly deprived by an agent of the government; which was referred to the Committee on Indian Affairs.

Mr. Jones presented the memorial of Samuel J. Bayard, late receiver of public money at Fairfield, Iowa, praying to be released from the payment of certain money of which he was robbed while on his way to deposit the same to the credit of the United States; which was referred to the Committee on Public Lands.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the petition of Caleb Green, on the files of the Senate, be referred to the Committee on the Judiciary.

On motion by Mr. Bradbury,

Ordered, That Rowland Carleton have leave to withdraw his petition and papers.

On motion by Mr. Bradbury,

Ordered, That the petition of William Miller, on the files of the Senate, *be referred to the* Committee on Pensions.

On motion by Mr. Breese,

Ordered, That the petition of Dorothea Payne, on the files of the Senate, be referred to the Committee on Pensions.

On motion by Mr. Yulee,

Ordered, That Charles Brennan and others have leave to withdraw their petition and papers.

Mr. Davis, of Mississippi, submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Pensions be instructed to inquire into the expediency and propriety of extending the provisions of the pension laws, so as to include those who, whilst engaged in the military service of the United States, may have been or may be disabled by casualty incident to the life of a soldier, or by the misconduct of others with whom their duty has brought them in contact.

Mr. Bright submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be requested to report to the Senate the name of each person appointed by him as designated depositary, in pursuance of the sub-treasury act approved August 6, 1846, who has performed the duties of the above offices without any compensation; also, the amount of money received on deposite by such officers from the date of their appointments up to their last report; and whether any of the appropriations made since the passage of the above act, to be applied under the direction of the Secretary of the Treasury for clerk hire, or any other service connected with the execution of said law, is now unexpended, and if so, what amount.

Mr. Underwood submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Russellville, Kentucky, by Buena Vista Springs to Elkton, and from Elkton to Madisonville, Kentucky.

Mr. Butler, from the Committee on the Judiciary, to whom was referred the bill (H. R. 700) to amend the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union;" reported it with an amendment.

On motion by Mr. Clarke, to reconsider the vote of yesterday on passing to a third reading the bill (H. R. 7) directing the mode of settling the claim of Charles G. Ridegely:

Ordered, That the further consideration of the motion be postponed until to-morrow.

On motion by Mr. Clarke,

Ordered, That the Secretary request of the House of Representatives the return of the bill last mentioned.

Mr. Mason, from the Committee of Claims, to whom was referred the bill (S. 298) for the relief of George Poindexter, reported it with an amendment.

Mr. Breese, from the Committee on Public Lands, to whom was

referred the petition of James Hotchkiss, reported a bill (S. 388) for his relief; which was read and passed to the second reading.

Mr. Breese also submitted a letter from the Commissioner of the General Land Office, relating thereto; which was ordered to be printed.

Agreeably to notice, Mr. Jones asked and obtained leave to bring in a bill (S. 389) for the relief of Samuel J. Bayard, late receiver at Fairfield, Iowa; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Mr. Borland, agreeably to notice, asked and obtained leave to bring in a bill (S. 390) to establish a new collection district in the State of Arkansas; which was read the first and second times by unanimous consent, and referred to the Committee on Commerce.

The bill (H. R. 662) in addition to the act entitled "An act in relation to military land warrants," approved August 14, 1848, was read a third time.

On motion by Mr. Westcott,

Ordered, That the further consideration thereof be postponed until Monday next.

The Senate proceeded to consider the bill (S. 289) to reduce the rates of postage, and for other purposes; and

Ordered, That the further consideration thereof be postponed to, and made the order of the day for Monday, the 15th instant.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 665) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1849, with the amendments reported thereto; and the reported amendments having been agreed to,

A motion was made by Mr. Atherton, to amend the bill by inserting at the end thereof, the following: "For instruments necessary for the astronomical observations directed to be made in the southern hemisphere by the act of August 3, 1848, and for freight and expenses on the same, six thousand four hundred dollars;" and

It was determined in the affirmative, { Yeas ..... 36 / Nays 10

On motion by Mr. Badger,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Badger, Baldwin, Bell, Berrien, Borland, Bradbury, Breese, Butler, Calhoun, Clarke, Corwin, Davis, of Mississippi, Dayton, Dickinson, Dix, Dodge, of Wisconsin, Dodge, of Iowa, Douglas, Felch, Fitzgerald, Foote, Hunter, Johnson, of Louisiana, Johnson, of Georgia, Jones, Mason, Metcalfe, Miller, Pearce, Rusk, Spruance, Sturgeon, Underwood, Westcott.

Those who voted in the negative are,

Messrs. Benton, Bright, Clayton, Davis, of Massachusetts, Fitzpatrick, Niles, Phelps, Turney, Walker, Yulee.

The bill having been amended, was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed, and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass, with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 336) for ascertaining claims and titles to land within the territory of California and New Mexico, to grant donation rights, and to provide for the survey of the lands therein; and

On motion by Mr. Breese,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 253) to grant to the State of Arkansas and to other States within which they lie, certain lands remaining unsold on account of overflow; and,

On motion by Mr. Borland,

Ordered, That the further consideration thereof be postponed to and made the special order of the day for Wednesday next, the 17th instant.

On motion by Mr. Rusk,

Ordered, That when the Senate adjourn, it be to Monday next.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 59) for the relief of Mrs. Anne W. Angus; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The following bills were read the second time, and considered as in Committee of the Whole.

S. 259. Bill for the relief of Nehemiah Brush.

S. 373. Bill to continue the office of the Commissioner of Pensions; and, no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed, and read a third time.

The said bills were read a third time.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 346) for the relief of Samuel F. Butterworth was read the second time, and considered as in Committee of the Whole.

After the consideration of executive business, by unanimous consent,

The Senate adjourned.

MONDAY, JANUARY 15, 1849.

The honorable Albert C. Greene, from the State of Rhode Island and Providence Plantations, attended.

The Vice President laid before the Senate a report of the Secretary of the Senate, made agreeably to law, showing the names of the persons employed in his office during the year 1848, and the sums paid to each; which was read.

Ordered, That it be printed.

The Vice President laid before the Senate a letter of the Secretary of State of Iowa, communicating a copy of a memorial of the General Assembly of that State, praying that Isaac W. Griffith, a soldier in the war with Mexico, may be allowed an increase of pension; which was read.

Ordered, That it be printed.

Mr. Davis, of Massachusetts, presented a petition of publishers of periodicals in the city of Boston, praying that they may be allowed to make exchanges of their publications by mail free of postage; which was referred to the Committee on the Post Office and Post Roads.

Mr. Calhoun presented the memorial of Isaac S. K. Reeves, an officer in the army, discharging the duties of adjutant of the military academy at West Point, praying to be allowed the pay and emoluments of an adjutant of dragoons; which was referred to the Committee on Military Affairs.

Mr. Clarke presented a petition of citizens of Providence, Rhode Island, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Jones presented a resolution passed by the Legislature of the State of Iowa, in favor of a grant of public land to aid in the construction of a railroad from Dubuque to Keokuk, in that State; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. Jones presented a memorial of the Legislature of the State of Iowa, praying a grant of public land for the construction of a canal from Iowa city to the mouth of the Iowa river; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. Jones presented a memorial of the Legislature of the State of Iowa, praying that Isaac W. Griffith, a soldier in the war with Mexico, may be allowed an increase of pension; which was referred to the Committee on Pensions, and ordered to be printed.

Mr. Jones presented a memorial of the Legislature of the State of Iowa, praying the erection of a marine hospital on Rock island, in the Mississippi river; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. Underwood presented the memorial of Henry O'Reilly, in relation to the arbitrary conduct of the United States district judge in Kentucky, in a matter to which he was a party, and the evils of hasty legislation on subjects affecting the judiciary of the country,

and the proper execution of the patent laws; which was referred to the Committee on the Judiciary.

Mr. Dickinson presented a memorial of citizens of Buffalo, New York, praying the construction of a national railroad from the Missouri river to the Pacific ocean; which was referred to the Committee on Roads and Canals.

Mr. Benton presented the memorial of Peter Parker, praying payment of a balance due him for services as interpreter and translator to United States agents in China; which was referred to the Committee on Foreign Relations.

Mr. Sturgeon presented four petitions of citizens of Pennsylvania, praying an increase of the duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Borland presented a memorial of the Legislature of the State of Arkansas, in favor of granting bounty lands to all officers and soldiers who have been at any time engaged in actual service, and who have not received the same; which was referred to the Committee on Military Affairs.

Mr. Borland presented a memorial of the Legislature of the State of Arkansas, praying a donation of land to the Clarksville Institute, in that State, for the education of the blind; which was referred to the Committee on Public Lands.

Mr. Clayton presented the petition of the widow and children of John Robertson, deceased, a soldier in the last war with Great Britain, praying that a bounty land warrant may be issued to them in lieu of one which was lost or destroyed; which was referred to the Committee on Private Land Claims.

Mr. Sebastian presented the petition of Hiram Smith, register of the land office at Champagnole, in Arkansas, praying to be allowed, in the settlement of his accounts, certain charges for clerk-hire, and commissions on disbursements; which was referred to the Committee of Claims.

Mr. Sebastian presented the petition of Henry M. Rector, praying the confirmation of his title to certain lands in the State of Arkansas; which was referred to the Committee on Public Lands.

On motion by Mr. Atherton,

Ordered, That the Committee on Finance be discharged from the further consideration of the memorials of the president and fellows of Harvard College, and that they lie on the table.

Mr. Davis, of Massachusetts, from the Committee on Patents and the Patent Office, to whom was referred the memorial of John B. Emerson, reported the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the petition and papers of John B. Emerson be referred to the President of the United States, and that he be requested to cause a report thereon to be made to the Senate, wherein the public officer making such report shall state in what cases, if any, the United States have used or employed the invention of said Emerson contrary to law; and, further, whether any compensation therefor is justly due to said Emerson, and if so, to what amount *in each case.*

Mr. Metcalfe submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be directed to inform the Senate whether any contract has been entered into for the supply of the American navy with water-rotted hemp, under the resolution passed during the last session of Congress and approved May 9, 1848, and if so, with whom and upon what terms; and if no such contract has been made, whether any permanent arrangement for obtaining supplies of that article has been made, and if so, with whom, and the nature of the arrangement, and whether the United States hemp agent, Mr. Lewis Sanders, has been instructed to suspend purchases.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the memorials, petitions, or other papers referred to that committee under the resolution of the 5th instant.

On motion by Mr. Phelps,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (S. 92) for the relief of the Red River Railroad Company.

Mr. Dayton, from the Committee on Patents to whom was referred the petition of William Green, junior, reported a bill (S. 391) authorizing a patent to be issued to William Green, junior; which was read, and passed to a second reading.

Mr. Downs submitted the views of a minority of the Committee on the Judiciary on the subject of the bill (S. 350) for the admission of California into the Union as a State:

Ordered, That the same be printed for the use of the Senate.

On motion by Mr. Hunter,

Ordered, That ten thousand copies of the report of the Committee on the Judiciary, together with the views of the minority of the committee, on the subject of the bill (S. 350) for the admission of California into the Union as a State, be printed for the use of the Senate.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 336) for ascertaining claims and titles to land within the territory of California and New Mexico, to grant donation rights, and to provide for the survey of the lands therein;

And, after debate,

On motion by Mr. Breese,

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Breese,

The Senate adjourned.

TUESDAY, JANUARY 16, 1849.

The Vice President laid before the Senate a report of the Secretary of War, made agreeably to law, showing the names of the clerks and other persons employed in the War Department during the *year 1848; which was read* and ordered to be printed.

Mr. Underwood presented a petition of citizens of Glasgow and Barren counties, in the State of Kentucky, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr Davis, of Mississippi, presented the memorial of J. G. Barnard, an officer in the engineer corps of the army, praying the restoration of certain allowances to officers of that corps while engaged on special duty; which was referred to the Committee on Military Affairs.

Mr. Sturgeon presented the petition of J. Murray Rush, praying compensation for services as counsel of the United States in a prosecution for felony; which was referred to the Committee of Claims.

Mr. Dodge, of Iowa, presented a resolution passed by the legislature of the State of Iowa, in favor of an appropriation for defraying the expenses of running and marking the northern and western boundary lines of that State; which was referred to the Committee on Public Lands.

Mr. Dodge, of Iowa, presented a resolution passed by the legislature of the State of Iowa, in favor of an appropriation for the construction of a bridge across the Des Moines river; which was referred to the Committee on Roads and Canals.

Mr. Dickinson presented a memorial of merchants of the city of New York, and a memorial of the Chamber of Commerce of New York, praying the remission of duties on certain goods destroyed by fire in that city in July, 1845; which were referred to the Committee on Finance.

Mr. Niles presented a petition of citizens of Deep River, Connecticut, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Yulee presented the memorial of P. B. Dumas, clerk of the circuit court of the United States for St. John's county, Florida, praying that a law may pass to authorize the transfer of exemplifications of the records of that court to the State courts; which was referred to the Committee on the Judiciary.

Mr. Westcott presented the petition of William Emmons, administrator of Uri Emmons, deceased, praying the extension of his patent for a planing machine; which was referred to the Committee on Patents and the Patent Office.

Mr. King presented the petition of Thomas Snodgrass, praying the reimbursement of expenses incurred in aiding in the removal of the Cherokee Indians west of the Mississippi in the year 1838; which was referred to the Committee on Indian Affairs.

Mr. Clayton presented a memorial of owners and masters of vessels, and pilots navigating the Delaware bay and river, praying the erection of a light-house on the Delaware breakwater; which was referred to the Committee on Commerce.

Mr. Westcott submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Naval Affairs be instructed to

inquire into the expediency of establishing a navy yard and naval depot at the island of Key West, in the State of Florida, or at some other proper place contiguous thereto.

Mr. Jones submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a tri-weekly mail route, (the mail to be carried in four-horse post coaches) from the city of Dubuque via Iowa city, the seat of government, and Fairfield, to Keokuk, in said State.

Mr. Upham submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of loaning to the Norwich University, in the State of Vermont, the use of two well mounted field pieces; good security being given for the safe-keeping, preservation, and return of the same.

Mr. Butler submitted additional documents relating to the claim of E. P. Guion and Benjamin L. McLaughlin; which were referred to the Committee of Claims.

Mr. Westcott, from the Committee on Patents and the Patent Office, to whom was referred the petition of James Harley, submitted a report; which was ordered to be printed.

Mr. Downs, from the Committee on Private Land Claims, to whom was referred the bill (S. 383) for the relief of the legal representatives of John Rice Jones, deceased, reported the same with amendments, and submitted a report on the subject; which was ordered to be printed.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the petition of B. O. Payne, reported a bill (S. 392) for his relief; which was read, and passed to the second reading.

Mr. Johnson, of Louisiana, also submitted a report on the subject; which was ordered to be printed.

Agreeably to notice, Mr. Borland asked and obtained leave to bring in a bill (S. 393) to repeal a portion of the third section of the act of July 19, 1848, in relation to the medical staff of the army of the United States, and for other purposes; which was read the first and second times by unanimous consent, and referred to the Commitee on Military Affairs.

The bill (S. 272) for the relief of Manuel X. Harmony was read the second time, and considered as in Committee of the Whole:

On motion by Mr. Westcott,

Ordered, That it be recommitted to the Committee of Claims.

The Senate resumed the consideration of the bill, on its third reading, (H. R. 662,) in addition to an act entitled "An act in relation to military land warrants," approved August 14, 1848; and,

On motion by Mr. Westcott,

Ordered, That it be recommitted to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 336) for ascertaining claims and titles to land

within the territory of California and New Mexico, to grant donation rights, and to provide for the survey of the lands therein.

On motion by Mr. Benton, "that the bill be recommitted to the Committee on Public Lands, with instructions to inquire into the expediency of reporting a bill for ascertaining the public and unappropriated lands in the territory of California, and for surveying and selling the same, and for granting donation rights to actual settlers, and permits to work the gold mines; and for that purpose to provide—

First. For the appointment of a recorder of land titles, who shall have the custody of all the public archives in relation to the disposition of the public lands, and shall record all the grants and all claims that shall be discovered or made known to him, and shall make two abstracts of the same, one to be transmitted to the General Land Office in Washington city, the other to be delivered to the surveyor general of California, that he may lay down the grants and claims on a map to be retained in his office, and of which map a copy to be transmitted to the General Land Office, and another to be filed with the recorder of land titles in California.

Second. To provide for the ascertainment of invalid grants, or possessions, by authorizing a *scire facias* to be issued from the United States district court against the party in possession, to come in and hear the objections to his claim, and to show cause why the grant should not be annulled, or the possession vacated; in every case in which the recorder of land titles, upon consultation with the district attorney, or by orders from the General Land Office, shall be so instructed, shall be of opinion that the same is not valid under the treaty with Mexico, the law of nations, and the decisions of the Supreme Court of the United States—the decision of the district court to be final, if against the United States, in all cases where the land in question shall be worth less than five thousand dollars. But no *pueblo* or rancheria Indians to be disturbed in their possessions without special orders from the general government.

Third. To provide for the appointment of a surveyor general, and for the establishment of three land offices.

Fourth. To provide for donations of land to actual settlers, heads of families, widows, and single men over eighteen years of age, and an allowance of land for children under eighteen years of age, and for the wife in her own right, according to the provisions of the bill proposing donations to settlers in Oregon, which passed the Senate January 3, 1843.

Fifth. To provide for preserving order in working gold mines, by appointing an agent to grant permits for working small lots, and settling summarily, and on the spot, all questions of boundary or interference among the diggers; the said permits to continue in force while the lot is worked by the person receiving it, and to be limited to feet square."

It was determined in the affirmative.

A message from the House of Representatives, by Mr. Campbell, *their Clerk:*

Mr. President: The President of the United States approved and *signed, the 10th* instant, the following acts:

H. R. 119. An act for the relief of Anthony Bessie.

H. R. 187. An act for the relief of James B. Davenport.

H .R. 191. An act to confirm Elizabeth Burriss, her heirs or assigns, in their title to a tract of land.

H. R. 328. An act for the relief of John B. Smith and Simeon Darden.

H. R. 405. An act to extend certain privileges to the town of Whitehall, in the State of New York.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 44) for the relief of Cadwalader Wallace, and having been amended, it was reported to the Senate; and the amendment was concurred in.

Ordered, That this bill be engrossed, and read a third time.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Rusk reported from the committee, that they had examined and found duly enrolled the following bills:

H. R. 59. An act for the relief of Anne W. Angus.

H. R. 195. An act for the relief of Marcus Fulton Johnson.

H. R. 196. An act supplemental to the act approved the 6th day of July, 1842, entitled "An act confirming certain land claims in Louisiana."

The bill (S. 168) to provide for the unpaid claims of the officers and soldiers of the Virginia State and continental lines of the revolution was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Miller,

The Senate adjourned.

WEDNESDAY, January 17, 1849.

The Vice President laid before the Senate a report of the Second Comptroller and Second Auditor of the Treasury, made in compliance with a resolution of the Senate of the 10th instant, showing the amount due to the Cherokee nation of Indians under the treaty of 1846, between the United States and those Indians; which was read, and

Ordered, That it be printed.

Mr. Yulee presented a resolution passed by the Legislature of the State of Florida in favor of the establishment of a port entry and delivery at Cedar Keys, in that State; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. Yulee presented resolutions passed by the Legislature of the State of Florida, in favor of a grant of public land for a county site in Benton county, a grant of land for the erection of a court-house in Holmes county, a grant of land for a county site in Washington county, and a grant of land for a county site in Calhoun county, in that State; which were referred to the Committee on Public Lands, and ordered to be printed.

Mr. Yulee presented a resolution passed by the Legislature of the State of Florida, in favor of an appropriation for the payment of

Captain Thomas Langford's company of volunteers for services in the Seminole war; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. Yulee presented a resolution passed by the Legislature of the State of Florida, in favor of the establishment of a mail route from New-Smyrna to Cape Florida, in that State; which was referred to the Committee on the Post Office and Post Roads, and ordered to be printed.

Mr. Upham presented the petition of John H. Kimball, administrator of Elizabeth Bingham, deceased, widow of a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Felch presented the petition of Jonathan Kearsley, praying compensation for his services, and reimbursement of expenses incurred as a depositary of public money; which was referred to the Committee on Finance.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a joint resolution (H. R. 47) for the purchase of copies of the general Navy Register and laws, in which they request the concurrence of the Senate.

The House of Representatives have passed the bill from the Senate (S. 373) to continue the office of the Commissioner of Pensions; also the bill from the Senate (S. 377) for the relief of James M. Scantland.

I am directed by the House of Representatives to return to the Senate, in compliance with their request, the bill (H. R. 7) directing the mode of settling the claims of Charles G. Ridgely.

The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

Mr. Niles, from the Committee on the Post Office and Post Roads, reported a bill (S. 394) in relation to the line of mail steamers to Southampton, Bremen, and Havre; which was read, and passed to the second reading.

Mr. Westcott, from the Committee on the Judiciary, to whom was referred the petition of Caleb Green, reported "that the prayer of the petition ought not to be granted."

Agreeably to notice, Mr. Johnson, of Georgia, asked and obtained leave to bring in a bill (S. 395) to authorize the payment to the State of Georgia of certain sums of money therein specified; which was read the first and second times by unanimous consent, and referred to the Committee on Indian Affairs.

The joint resolution (H. R. 47) for the purchase of copies of the general Navy Register and laws, was read the first and second times by unanimous consent, and referred to the Committee on Naval Affairs.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 289) to reduce the rates of postage, and for other purposes; and the reported amendments having been amended and agreed to,

Ordered, That the further consideration of the bill be postponed until to-morrow, and that the bill, as amended, be printed.

The Vice President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

On motion, the Senate adjourned.

THURSDAY, JANUARY 18, 1849.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following acts:

S. 373. An act to continue the office of the Commissioner of Pensions.

S. 377. An act for the relief of James M. Scantland.

Mr. Johnson, of Georgia, presented the memorial of Martha Cox, widow of a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Mason presented the petition of Francis G. Beatty and Samuel Walker, praying compensation for injuries received by the falling of a scaffold while at work on the treasury building in the year 1842; which was referred to the Committee of Claims.

Mr. Yulee presented a resolution passed by the Legislature of the State of Florida, in favor of the establishment of a mail route from Tampa to the settlements of Hitchapochsassee, old Tampa, and Mannatee, in Hillsborough county, in that State; also, a resolution passed by the Legislature aforesaid, in favor of the establishment of a mail route from Oulusta, in Columbia county, to Gray's Ferry, in Duval county, Florida; which were referred to the Committee on the Post Office and Post roads, and ordered to be printed.

Mr. Yulee presented a resolution passed by the Legislature of the State of Florida, in favor of the enactment of a law making compensation to John Tucker for services as chaplain to a battalion of Florida militia in the Seminole war; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. Davis, of Massachusetts, presented the petition of Enoch Baldwin, praying the return of the discriminating duties paid by him on a cargo of rum; which was referred to the Committee on Commerce.

On motion by Mr. Clayton,

Ordered, That William Morrow have leave to withdraw his petition and papers.

Mr. Allen submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Postmaster General and Secretary of the Navy report to the Senate, as soon as practicable, what contracts exist between the government and individuals or companies for the transmission of the mail in steamers between ports of the United States and ports of foreign countries; when such contracts were entered into; with whom; at what cost per annum in each case, and the profits per annum in each case arising to the government on the mail matter thus transmitted.

Mr. *Johnson, of Louisiana*, submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Private Land Claims be instructed to inquire into the expediency of confirming the claim of James A. Scudday, of the State of Louisiana, to two certain tracts of land in the said State of six hundred and forty acres each, described in the documents accompanying this resolution.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills of the following titles:

H. R. 701. An act to amend an act regulating the district courts of the United States for the State of Alabama;

H. R. 723. An act for the relief of Salsy Darby, of Randolph county, and State of Georgia;

H. R. 724. An act for the relief of Charles Wilson;

in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

I am directed to ask of the Senate the return of the joint resolution (H. R. 47) for the purchase of copies of the general navy register and laws, sent to the Senate through mistake.

On motion by Mr. King,

Ordered, That the Secretary return to the House of Representatives, agreeably to their request, the resolution (H. R. 47) for the purchase of copies of the general Navy Register and laws.

The three bills this day received from the House of Representatives for concurrence, were severally read the first and second times by unanimous consent.

Ordered, That the bill numbered 701 be referred to the Committee on the Judiciary, and that the bills numbered 723, 724, be referred to the Committee on Pensions.

The Vice President signed the two enrolled bills this day reported to have been examined, (S. 373, 377,) and they were delivered to the committee to be presented to the President of the United States.

On motion by Mr. Phelps,

Ordered, That the report of the Second Comptroller and Second Auditor on the claim of the Cherokee nation of Indians, be referred to the Committee on Indian Affairs.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 691) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes for the year ending June 30, 1850, reported the same without amendment.

Mr. Breese, from the Committee on Public Lands, to whom was referred the petitions of certain registers and receivers, reported a bill (S. 396) to compensate the registers and receivers of the several land officers in the United States; which was read, and passed to the second reading.

The Senate proceeded to consider the adverse report of the *committee of Claims* on the memorial of E. P. Calkins and Company; *and in concurrence* therewith,

Resolved, That the prayer of the memorialists ought not to be granted.

The Senate proceeded to consider the adverse report of the Committee on Public Lands on the petition of Peter Whitmore Knaggs; and in concurrence therewith,

Resolved, That the prayer of the petitioner ought not to be granted.

The Senate proceeded to consider the adverse report of the Committee on Public Lands on the petition of Peter Godfrey; and in concurrence therewith,

Resolved, That the prayer of the petitioner be not granted.

The Senate proceeded to consider the report submitted by Mr. Cameron the 10th of August, and the resolution was amended and agreed to, as follows.

Resolved, That the Secretary of War be requested to communicate to the Senate any information that may be within the knowledge of the department in reference to claims made against the Cherokees, who were parties to the treaty of August 6, 1846, especially against that portion of the nation called "old settlers" or "western Cherokees," for services or any other aid and assistance rendered the said Cherokees in the prosecution of their claim, which resulted in the treaty aforesaid. If such claims are based upon written contracts, he is requested to state whether these contracts were made by the duly authorized representatives of the Cherokees in their national or aggregate capacity for the benefit of those who are made recipients by the treaty, in all moneys arising out of the settlement of their claim; and also, whether, within the knowledge of the department, such contracts have been fully and faithfully complied with, as far as practicable, by the other parties named in them; and that he will communicate the evidence upon which he bases his opinion, with any papers in possession of the department showing the extent of the services rendered, and the character of the claims thus made against the moneys which may be awarded the Cherokees under the treaty of August 6, 1846.

On motion by Mr. Butler,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the petition of G. W. Norton and P. E. Norton.

The Senate resumed, as in Committee of the Whole, the bill (S. 152) to establish the territorial government of Minnesota; and having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That the further consideration of the bill be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the bill (S. 212) for the relief of P. Chouteau, jr., and Company; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the bill (S. 169) for the relief of Frederick Dawson, James Schott, and Elisha Dana Whitney; and,

On motion by Mr. Johnson, of Maryland,

Ordered, That the further consideration thereof be postponed until to-morrow, and be the special order of the day.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 295. An act for the relief of William Harding;

H. R. 128. An act for the relief of Thomas Badger;

H. R. 277. An act granting a pension to John Morrison;

H. R. 20. An act for the relief of Edward Quinn;

H. R. 60. An act for the relief of Elizabeth Mays;

H. R. 63. An act for the relief of James H. Conley;

H. R. 77. An act for the relief of Stephen Champlin;

H. R. 121. An act for the relief of G. F. de la Roche and W. P. S. Sanger;

H. R. 198. An act for the relief of Joseph Bryan;

and no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 270) for the relief of John Percival, captain in the navy of the United States; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

On the question, "Shall this bill pass?"

It was determined in the affirmative, { Yeas..... 28 / Nays..... 13

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Bradbury, Clarke, Clayton, Davis, of Massachusetts, Dayton, Douglas, Downs, Fitzgerald, Greene, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, King, Mason, Miller, Pearce, Phelps, Spruance, Sturgeon, Underwood, Upham, Walker, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atherton, Bright, Davis, of Mississippi, Dickinson, Dodge, of Iowa, Felch, Fitzpatrick, Hunter, Johnson, of Georgia, Metcalfe, Niles, Turney. So it was

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives *accordingly*.

On motion,

The Senate adjourned.

FRIDAY, JANUARY 19, 1849.

The Vice President laid before the Senate a report of the Secretary of War communicating, in compliance with a resolution of the Senate, a map of the valley of Mexico; which was referred to the Committee on Military Affairs.

The Vice President laid before the Senate a report of the Postmaster General, made in compliance with a resolution of the Senate of the 15th instant, in relation to the conveyance of the mails of the United States in steam packets between the ports of the United States and foreign countries; which was read.

Mr. Bell presented a petition of citizens of Tennessee, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. King submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Foreign Relations be instructed to inquire into the propriety of allowing to Alexander Hammett the pay of a chargé d'affaires for the time he discharged the duties of that station at Naples.

Mr. Sebastian submitted a communication addressed to him by A. K. Parris, Second Comptroller, in relation to the report of the Second Comptroller and Second Auditor of the Treasury, of the 15th instant, on the subject of the claims of the Cherokee nation; which was referred to the Committee on Indian Affairs.

Mr. Phelps, from the Committee on Finance, to whom was referred the bill (S. 241) for the relief of the West Feliciana Railroad Company, reported it without amendment, and that the bill ought not to pass.

Mr. Phelps, from the Committee on Finance, to whom was referred the petition of the Mexican Gulf Railway Company, reported "that the committee be discharged from the further consideration of the petition."

Mr. Dickinson, from the Committee on Finance, to whom was referred the petition of William Norris and Company, reported the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

On motion by Mr. Jones,

That the Senate reconsider the vote on passing the bill (H. R. 270) for the relief of John Percival, captain in the navy of the United States;

Ordered, That the further consideration of the motion be postponed until to-morrow.

The Senate proceeded to consider the motion by Mr. Clarke, the 11th instant, to reconsider the vote on the engrossment of the bill (H. R. 7) directing the mode of settling the claims of Charles G. Ridgely; and the motion was agreed to.

Mr. Rusk reported from the committee that they had presented to the President of the United States, the 18th instant, the following acts:

H. R. 59. An act for the relief of Mrs. Anne W. Angus.

H. R. 195. An act for the relief of Marcus Fulton Johnson.

H. R. 196. An act supplemental to the act approved the sixth day of July, 1842, entitled "An act confirming certain land claims in Louisiana."

S. 373. An act to continue the office of the Commissioner of Pensions.

S. 377. An act for the relief of James M. Scantland.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, this day, the following acts:

S. 373. An act to continue the office of the Commissioner of Pensions.

S. 377. An act for the relief of James M. Scantland.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 289) to reduce the rates of postage, and for other purposes; and having been amended on the motion of Mr. Niles,

Ordered, That the further consideration thereof be postponed until Monday next.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 113) for the relief of the owners of the Spanish brig Restaurador; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a joint resolution (H. R. 20) for the relief of Samuel T. Anderson; also, a bill (H. R. 197) for the relief of the legal representatives of Antonio Pacheco, in which bill and resolution they request the concurrence of the Senate.

The resolution and bill this day received from the House of Representatives were severally read the first and second times by unanimous consent.

Ordered, That the resolution numbered, (H. R. 20,) be referred to the Committee on Naval Affairs; and that the bill numbered, (H. R. 197,) be referred to the Committee on Military Affairs.

The Vice President laid before the Senate a report of the Secretary of the Treasury, made in compliance with a resolution of the Senate, showing the number of designated depositaries performing duties without specific compensation; which was read, and ordered to be printed.

On motion by Mr. Atchison,

Ordered, That when the Senate adjourn it be to Monday next.

After the consideration of executive business,

The Senate adjourned.

MONDAY, JANUARY 22, 1849.

Mr. Rusk reported from the committee, that they had examined and found duly enrolled the following bills:

H. R. 20. An act for the relief of Edward Quinn.

H. R. 60. An act for the relief of Elizabeth Mays.

H. R. 63. An act for the relief of James H. Conley.

H. R. 77. An act for the relief of Stephen Champlin.

H. R. 121. An act for the relief of G. F. De la Roche and William P. S. Sanger.

H. R. 128. An act for the relief of Thomas Badger.

H. R. 198. An act for the relief of Joseph Bryan.

H. R. 277. An act for the relief of John Morrison.

H. R. 295. An act for the relief of William Harding.

The Vice President laid before the Senate a report of the Secretary of the Treasury, accompanied by a communication from the Commissioner of the General Land Office, in relation to the mineral lands in Michigan; which was read.

The Vice President laid before the Senate a report of the Secretary of the Treasury, accompanied by a report of the Register of the Treasury, containing the statements of the commerce and navigation of the United States for the last fiscal year, prepared as required by the act of the 10th February, 1820; which was read.

Ordered, That it be printed; that five thousand five hundred copies be printed in addition to the usual number, five hundred of which for the use of the Treasury Department.

The Vice President laid before the Senate a report of the Secretary of the Navy, made in compliance with a resolution of the Senate of the 18th January, in relation to contracts for the transmission of the mail in steamers between ports of the United States and ports of foreign countries; which was read.

Ordered, That it be printed, together with the report of the Postmaster General on the same subject.

The Vice President laid before the Senate a communication from the mayor of the city of Brooklyn, accompanied by the proceedings of the common council of Brooklyn, in relation to the establishment of a branch mint; which was ordered to be printed.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the amendments of the Senate to the bill (H. R. 655) to supply deficiences in the appropriations for the service of the fiscal year ending the 30th June, 1849; with an amendment to the 5th amendment.

The Speaker of the House of Representatives having signed nine enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The House of Representatives have passed the bill (S. 351) authorizing the payment of interest upon the advances made by the State of Alabama, for the use of the United States government, in the suppression of the Creek Indian hostilities of 1836 and 1837,

in Alabama, with an amendment, in which they request the concurrence of the Senate.

The Senate proceeded to consider the amendment of the House of Representatives to the bill last mentioned; and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Dix presented resolutions of the Legislature of the State of New York, instructing the Senators and requesting the Representatives of that State in Congress to use their best efforts to procure the enactment of laws for the establishment of governments for the territory acquired by the late treaty of peace with Mexico, and that, by such laws, involuntary servitude, except for crime, be excluded from such territory; to use their best efforts to preserve the territory thus acquired as common property, protect it from the claims of Texas, and prohibit the extension over it of the laws of Texas, or the institution therein of domestic slavery; and to use their strenuous efforts to procure the passing of a law to protect slaves from unjust imprisonment, and put an end to the slave trade in the District of Columbia; which were read.

On motion by Mr. Dix, that they be printed,

It was determined in the affirmative, { Yeas ..... 45 / Nays 6

On motion by Mr. Dickinson,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Badger, Baldwin, Bell, Benton, Berrien, Bradbury, Breese, Butler, Cameron, Clarke, Clayton, Corwin, Davis, of Massachusetts, Dayton, Dickinson, Dix, Dodge, of Iowa, Douglas, Felch, Fitzgerald, Foote, Green, Hamlin, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Jones, King, Mason, Metcalfe, Miller, Niles, Pearce, Phelps, Rusk, Sebastian, Spruance, Turney, Underwood, Upham.

Those who voted in the negative are,

Messrs. Borland, Davis, of Mississippi, Downs, Fitzpatrick, Hannegan, Yulee.

On motion,

The Senate adjourned.

TUESDAY, January 23, 1849.

The Vice President laid before the Senate a report of the Secretary of War, made agreeably to law, showing the contracts, under the authority of the department, during the year 1848; which was read, and ordered to be printed.

The Vice President laid before the Senate a report of the Secretary of the Treasury, showing the results of an examination made by T. O. Edwards at the ports of Boston, New York, Baltimore, and Philadelphia, of the practical operation of the act of 26th June,

1848, to prevent the importation of adulterated drugs and medicines; which was read.

Ordered, That it be printed.

Mr. Corwin presented the petition of Timothy Cavan, praying to be allowed a pension in consideration of an injury received while in the military service of the United States; which was referred to the Committee on Pensions.

Mr. Dickinson presented the memorial of Hartwell Carver and his associates, praying a grant of land and a charter of incorporation for constructing a railroad from Lake Michigan to the Pacific ocean; which was referred to the Committee on Roads and Canals.

Mr. Dickinson presented a memorial of Henry O'Rielly, in behalf of himself and others, remonstrating against the passing of the bill (H. R. 102) now pending before Congress in addition to an amendment of the several acts to promote the progress of the useful arts; which was referred to the Committee on Patents and the Patent Office.

Mr. Fitzpatrick presented the memorial of George Whitman, a sutler in the army during the war with Mexico, praying compensation for goods forcibly taken and used by troops of the United States; which was referred to the Committee on Military Affairs.

Mr. Dix presented a petition of merchants, ship-owners, and ship-masters, of the city of New York, praying that facilities may be afforded for testing the accuracy of Lieutenant Maury's wind and current charts; which was referred to the Committee on Naval Affairs.

Mr. Dix presented the memorial of the State Agricultural Society of the State of New York, praying the establishment of an agricultural bureau, and the adoption of measures for collecting agricultural statistics in taking the next census; which was referred to the select committee on the subject of the census, and ordered to be printed.

Mr. Dix presented the petition of Catharine Oliphant, widow of a deceased revolutionary soldier, praying a pension; which was referred to the Committee on Pensions.

Mr. Clarke presented a petition of citizens of Providence, Rhode Island, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Metcalfe presented the petition of William R. Campbell, a volunteer in the war with Mexico, praying to be allowed bounty land and extra pay; which was referred to the Committee on Military Affairs.

Mr. Breese presented a resolution passed by the Legislature of the State of Illinois, in favor of reducing the postage to a uniform rate and abolishing the system of prepayment on newspapers; which was ordered to be printed.

Mr. Felch presented the petition of Charity Chatfield, widow of a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Felch presented a petition of the registers and receivers of

land offices in the State of Michigan, praying to be allowed a commission on all entries of bounty land warrants.

Ordered, That it lie on the table.

Mr. Hamlin presented a petition of Joseph Wyer, and other citizens of the United States, praying that the public domain may be granted, in farms and lots, to actual settlers, not possessed of other lands, free of cost; which was referred to the Committee on Public Lands.

Mr. Dickinson presented the memorial of William Henry Bush, a citizen of the United States, praying redress for illegal arrest and imprisonment by the Spanish authorities at Havana, in the island of Cuba, while serving on board of an American vessel then lying in that port; which was referred to the Committee on Foreign Relations.

Mr. Fitzgerald presented the memorial of Daniel V. Quenaudon, praying a grant of land in the Territory of Oregon, for the purpose of establishing a colony in that Territory; which was referred to the Committee on Territories.

Mr. Bell presented the petition of George Whitman, praying that the duties paid on certain goods imported into Vera Cruz by him while acting as a sutler in the army, may be refunded; which was referred to the Committee on Finance.

Mr. Bell presented the memorial of certain friendly Seminole Indians, who served in the army of the United States during the Florida war, praying payment for their services; which was referred to the Committee on Military Affairs.

Mr. Dodge, of Iowa, presented a resolution passed by the Legislature of the State of Iowa, in favor of compensating the citizens of that State who were called out by the marshal of the United States for the Territory of Iowa to repress an outbreak on the southern boundary of that State; which was referred to the Committee on Military Affairs.

Mr. Dodge, of Iowa, presented a resolution passed by the Legislature of the State of Iowa, in favor of the establishment of a mail route from Iowa city to Keosauque, in that State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dodge, of Iowa, presented a resolution passed by the Legislature of the State of Iowa, in favor of the establishment of a mail route from Fort Des Moines to the east or Boon Fork of the Des Moines river; which was referred to the Committee on the Post Office and Post Roads.

Mr. Johnson, of Maryland, presented a memorial of citizens of Rockville, Maryland, praying the enactment of a law to prevent the issue and circulation of certain notes of private individuals in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. Upham presented a memorial of members of the boards of aldermen and common council of the city of Washington, praying the enactment of a law to prohibit the importation of slaves into the District of Columbia for the purpose of traffic and sale; which was *referred to the Committee* on the District of Columbia.

Mr. Pearce presented a petition of citizens of the State of Maryland, praying the establishment of territorial governments in California and New Mexico, and the adoption of the line known as the "Missouri compromise" to the Pacific ocean.

Ordered, That it lie on the table.

Mr. Bradbury presented a petition of merchants and others, citizens of St. George, in the State of Maine, remonstrating against the establishment of a new collection district at East Thomaston, in that State; which was referred to the Committee on Commerce.

Mr. Bradbury presented a petition of citizens of St. George, Maine, who have heretofore signed a petition for the establishment of a new collection district at East Thomaston, praying that the present collection district may be retained, and an office established at Thomaston; which was referred to the Committee on Commerce.

Mr. Yulee submitted documents relating to the claim of Captain George E. McClellan's company of Florida volunteers, for services in the Seminole war; which were referred to the Committee on Military Affairs.

On motion by Mr. Pearce,

Ordered, That the petition of Sarah A. Mackay, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Upham submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Brattleboro', in Townshend, in the State of Vermont, through Jamaica, Winhall, Manchester, and thence to Whitehall, in the State of New York.

Mr. Felch submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Indian Affairs be instructed to inquire into the expediency of allowing, for pay of the clerk and messenger of the superintendent of Indian affairs, at Detroit, the sum of six hundred dollars per annum, as heretofore allowed.

Mr. Dickinson submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to transmit to the Senate, so far as is consistent with the public interests, any correspondence between the Department of State and the Spanish authorities in the island of Cuba relating to the imprisonment, in said island, of William Henry Bush, a citizen of the United States.

Mr. Bell submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to communicate to the Senate, if within his knowledge, what sums of money were advanced to the party of the Cherokees, known as the old settlers or western Cherokees, or to their delegates, signers of the treaty of 1846, immediately after the ratification of the same, by whom and under what circumstances such advances of money were

made, and how, when, and by whom the amounts so advanced have been refunded or repaid.

Mr. Johnson, of Louisiana, submitted the following resolution for consideration:

Resolved, That the Committee on Pensions be instructed to inquire into the expediency of passing an act allowing to all officers, non-commissioned officers, musicians, and privates, in the army of the United States, who are disabled, or who may hereafter become disabled, by the loss of a limb or limbs, an eye or eyes, while in the line of their duty in the public service, a pension at a rate to be fixed according to their disability.

Mr. Dodge of Iowa, submitted the following resolutions for consideration:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Belleview, via Andrew, Canton, Edinburg, and Anamosa, to Independence, the county seat of Buchanan county.

Resolved, That the same committee also inquire into the expediency of establishing a mail route from Bloomington, via Tipton, Rome, Anamosa, Delhi, and Garnavello, to Prairie du Chien.

Mr. Yulee submitted the following resolution for consideration:

Resolved, That the Secretary of War be requested to furnish to the Senate any documents or information in his department relative to the claim of Captain George E. McClellan's company of Florida volunteers, for military services in the year 1840.

Mr. Yulee submitted the following resolution for consideration:

Resolved, That the Committee on Public Lands inquire into the expediency of reducing the present minimum price of the public lands in the State of Florida.

The Vice President signed the nine enrolled bills yesterday reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

On motion by Mr. Felch,

Ordered, That the report of the Secretary of the Treasury, accompanied by a communication from the Commissioner of the General Land Office in relation to the mineral lands in Michigan, be printed in connexion with the annual report on public lands.

Mr. Mason presented the credentials of the Honorable Andrew P. Butler, chosen a Senator by the Legislature of the State of South of South Carolina for the term of six years, commencing the fourth day of March next; which were read.

Mr. Mason, from the Committee of Claims, to whom was referred the petition of N. B. Hill, administrator of Gilbert Stalker, reported a bill (S. 397) for the relief of the legal representatives of Gilbert Stalker, deceased.

Mr. Mason, from the Committee of Claims, to whom was referred the bill (H. R. 165) for the relief of Jeremiah Moore, reported it without amendment.

Mr. Mason, from the Committee of Claims, to whom was referred the petition of Thomas Linard, submitted an adverse report; *which was ordered to be* printed.

Mr. King, agreeably to notice, asked and obtained leave to bring in a bill (S. 398) to grant the right of way to the Mobile and Ohio Railroad Company; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed, and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Breese, agreeably to notice, asked and obtained leave to bring in a bill (S. 399) to define the period of disability imposed upon certain bidders for mail contracts; which was read the first and second times by unanimous consent, and referred to the Committee on the Post office and Post Roads.

Mr. Rusk reported, from the committee, that they had examined and found duly enrolled the bill (S. 351) authorizing the payment of interest upon the advances made by the State of Alabama, for the use of the United States government, in the suppression of the Creek Indian hostilities of 1836 and 1837 in Alabama.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 363) for the relief Captain Dan Drake Henrie; in which they request the concurrence of the Senate.

The bill last mentioned from the House of Representatives (H. R. 363) was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Badger, from the Committee on Private Land Claims, to whom was referred the memorial of Moses E. Levy, reported a bill (S. 400) for his relief; which was read, and passed to a second reading.

The Vice President laid before the Senate a letter from the Honorable Sidney Breese, resigning his appointment as one of the regents of the Smithsonian institution.

On motion by Mr. Pearce,

Ordered, That the Vice President appoint a member to fill the vacancy; and

The Honorable Mr. Mason was accordingly appointed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 471) to admit certain articles of the growth or production of Canada into the United States free of duty, upon the condition that the like articles of the growth or production of the United States are admitted into Canada free of duty;

And, after debate,

Ordered, That the further consideration of the bill be postponed until to-morrow.

The Senate proceeded to consider the amendment of the House of Representatives to the fifth amendment of the Senate to the bill (H. R. 665) to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1849; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion by Mr. Upham,

Ordered, That the Committee on the District of Columbia be discharged from the further consideration of the memorial of the members of the board of aldermen and board of common council of the city of Washington, presented this day, and that leave be given to withdraw the same.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 24, 1849.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government for the year ending the 30th of June, 1850, and for other purposes.

The Speaker of the House of Representatives having signed an enrolled bill, (S. 351,) I am directed to bring it to the Senate for the signature of their President.

The Vice President signed the enrolled bill (S. 351) last reported to have been examined, and it was delivered to the committee to be presented to the President of the United States.

Mr. Bright presented a resolution passed by the Legislature of the State of Indiana, in favor of a reduction of the postage on newspapers, pamphlets, and periodical publications, and the repeal of so much of the post office laws as requires prepayment of the postage on newspapers; which was ordered to be printed.

Mr. Houston presented a memorial of Ebenezer Allen and others, citizens of Texas, praying a grant of the right of way over the public lands of the United States for the construction of a railroad from the Rio Grande to the Pacific ocean; which was referred to the Committee on Public Lands, and ordered to be printed.

On motion by Mr. Dix,

Ordered, That the Committee on Commerce be discharged from the further consideration of two petitions of citizens of St. George, Maine, in relation to the establishment of a new collection district at East Thomaston, in that State.

On motion by Mr. Rusk,

Ordered, That the heirs of Sour John, a Cherokee Indian, have leave to withdraw their petition and papers.

Mr. Hamlin submitted the following resolution for consideration:

Resolved, That the sergeant-at-arms of the Senate be, and hereby is, directed to place the name of Noah Hanson on the roll of messengers, and pay him the same received by the other messengers.

Mr. Houston submitted the following resolution for consideration:

Resolved, That the Secretary of the Senate be authorized and required to procure for the use of the Senate copies of the map of the State of Texas, compiled and published by J. De Cordova.

The Senate proceeded to consider the said resolution by unanimous consent, and the blank having been filled with "five hundred,"

Ordered, That the further consideration of the resolution be postponed until to-morrow.

Mr. Borland, agreeably to notice, asked and obtained leave to bring in a bill (S. 401) for the relief of Cincinnatus Trousdale and John G. Connelley, of Arkansas; which was read the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

The bill from the House of Representatives (H. R. 692) making appropriations for the civil and diplomatic expenses of government for the year ending June 30, 1850, was read the first and second times by unanimous consent, and referred to the Committee on Finance.

Mr. Cameron, from the Committee on Printing, to whom was referred the motion to print thirty thousand additional copies of the report of the Commissioner of Patents on the bursting of steam boilers, reported thereon.

Whereupon,

Ordered, That the report be printed, and that ten thousand copies, in addition to the usual number, be printed for the use of the Senate.

On motion by Mr. Johnson, of Maryland,

Ordered, That the memorial of citizens of Rockville, Maryland, presented the 23d instant, respecting the issuing and circulation of the notes of private individuals in the District of Columbia, be printed.

On motion by Mr. Rusk,

Ordered, That the bill (S. 93) to establish an additional district court of the United States in the State of Texas, be the special order of the day for Friday next.

On motion by Mr. Butler,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the memorial of Henry O'Rielly.

Mr. Butler, from the Committee on the Judiciary, to whom was referred the bill (H. R. 701) to amend an act regulating the district courts of the United States for the State of Alabama, reported it without amendment.

Mr. Westcott, from the Committee on the Judiciary, to whom was referred the bill (H. R. 261) for the relief of William Fuller, reported it with an amendment.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (S. 387) to authorize the payment of invalid pensions in certain cases, reported it without amendment.

Mr. Johnson, *of Louisiana*, from the Committee on Pensions, to

whom was referred the petition of Benjamin Miller, submitted an adverse report; which was ordered to be printed.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the petition of Nathan Weston, jr., submitted an adverse report; which was ordered to be printed.

Mr. Dix, from the Committee on Commerce, to whom was referred the bill (S. 381) to authorize an appropriation for removing the rocks at Hurl Gate and the reefs in the harbor of New York, reported it without amendment.

On motion by Mr. Dix,

Ordered, That the Committee on Commerce, to whom was referred the petition of David L. White, be discharged from the further consideration thereof.

Mr. Dix, from the Committee on Commerce, to whom was referred the report of the Committee of Claims on the memorial of Arnold Naudain, submitted an adverse report; which was read.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following acts:

H. R. 665. An act to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th June, 1849.

H. R. 363. An act for the relief of Captain Dan Drake Henrie.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Yulee, relative to the reduction of the price of the pine lands in Florida; and the resolution being amended, on the motion of Mr. Johnson, of Louisiana, was agreed to as follows:

Resolved, That the Committee on Public Lands inquire into the expediency of reducing the present minimum price of the pine lands in the respective States.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Yulee, respecting the claim of Captain George E. McClellan's company of volunteers; and the resolution was agreed to.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 350) for the admission f California into the Union as a State; and the bill having been amended, on the motion of Mr. Douglas, by striking out all after the enacting clause, and inserting a substitute.

A motion was made by Mr. Turney to amend the bill as amended:

On motion by Mr. Douglas,

Ordered, That the bill, as amended, together with the several propositions to amend the bill, be referred to a select committee consisting of seven members, to be appointed by the Vice President; and

Mr. Douglas, Mr. Johnson, of Maryland, Mr. Jones, Mr. Clayton, Mr. Davis, of Mississippi, Mr. Badger, and Mr. Niles, were appointed the committee.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 289) to reduce the rates of postage, and for other purposes, with an amendment proposed by Mr. Cameron thereto.

And after debate,

On motion,

The Senate adjourned.

THURSDAY, JANUARY 25, 1849.

The Vice President presented a resolution passed by the Legislature of the State of Iowa, instructing the Senators and requesting the Representatives of that State in Congress to use their exertions to procure a grant of public land to aid in the construction of a railroad from Dubuque to Keokuk, in that State; which was referred to the Committee on Public Lands.

The Vice President presented a resolution passed by the Legislature of the State of Iowa, in favor of an appropriation for completing the harbor at Dubuque, in that State; which was referred to the Committee on Commerce.

The Vice President presented the proceedings of a meeting of citizens of Point Isabel, Texas, in favor of the establishment of a port of entry at that place; which were referred to the Committee on Commerce.

Mr. Miller presented a memorial of a committee of the coporation of Washington, praying for an appropriation for aiding in the completion of the city hall and repairing the canal in that city; which was referred to the Committee on the District of Columbia.

Mr. Turney submitted documents relating to the claim of John W. Custer to compensation for a horse lost in the military service of the United States; which were referred to the Committee of Claims.

Mr. Borland presented a memorial of citizens of Arkansas, praying the construction of a railroad from Memphis to the Pacific ocean; which was referred to the Committee on Public Lands.

Mr. Borland presented a resolution passed by the Legislature of the State of Arkansas, in favor of the enactment of a law making compensation for horses lost in the military service of the United States during the war with Mexico; which was referred to the Committee on Military Affairs.

Mr. Davis, of Massachusetts, presented the petition of Daniel Doland, a volunteer in the war with Mexico, praying compensation for injuries received in the discharge of his duty; which was referred to the Committee on Military Affairs.

Mr. Downs presented the memorial of A. G. Blanchard, and others, officers and soldiers, who served in the war with Mexico, praying to be allowed extra pay; which was referred to the Committee on Military Affairs.

Mr. Bright presented a resolution passed by the Legislature of the State of Indiana, instructing the Senators and requesting the Representatives of that State, in Congress, to use their exertions to procure the enactment of a law to reduce the price of the public lands in the Miami reserve, in that State; which was referred to the Committee on Public Lands.

Mr. Johnson, of Maryland, presented the petition of William Caton, praying compensation for services rendered during the late war with Great Britain; which was referred to the Committee of Claims.

Mr. Jones presented a resolution passed by the Legislature of the State of Iowa, in favor of the establishment of a mail route from Fort Atkinson, in that State, to Prairie du Chien, in Wisconsin; which was referred to the Committee on the Post Office and Post Roads.

Mr. Jones presented a resolution passed by the Legislature of the State of Iowa, in favor of an appropriation for completing the harbor at Dubuque, in that State; which was referred to the Committee on Commerce.

Mr. Jones presented a resolution passed by the Legislature of the State of Iowa, in favor of a grant of land to that State to aid in the construction of a levee upon the Muscatine island; which was referred to the Committee on Public Lands.

Mr. Badger submitted the following resolution for consideration:

Resolved, That the Committee on Printing inqure into the expediency of discontinuing the contract made at the last session for publishing reports of the debates and proceedings of the Senate.

Mr. Walker submitted the following resolution for consideration:

Resolved, That, until otherwise ordered, the Secretary of the Senate pay to John Skirving, for his services in ventilating the Senate Chamber during its sessions, an allowance not exceeding the pay of a messenger, together with one dollar a day for an assistant messenger.

Mr. Dodge of Iowa, presented the petition ot John Madlam, a soldier in the late war with Great Britain, praying a grant of land for his services; which was referred to the Committee on Public Lands.

On motion by Mr. Borland,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the bill (S. 262) to amend the act approved June 17, 1844, entitled "An act to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and in those parts of the States of Mississippi and Alabama south of the thirty-first degree of north latitude, and between the Mississippi and Perdido rivers," and that it be referred to the Committee on the Judiciary.

Mr. Dodge, of Iowa, presented a petition of citizens of Monroe county, Iowa, praying the establishment of a mail route from Eddyville to Council Point, in that State; which was referred to the Committee on the Post Office and Post Roads.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the bill from the Senate (S. 361) to authorize the issuing of a register or enrolment to the ship Annie Tift.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the two enrolled bills last reported to *have been examined*, (H. R. 665 and 363,) and they were delivered

to the committee, to be presented to the President of the United States.

Mr. Bright, agreeably to notice, asked and obtained leave to bring in a bill (S. 402) reducing the price of the public lands lying within the Miconic reservation, in the State of Indiana; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Mr. Breese, from the Committee on Public Lands, to whom was recommitted the bill (H. R. 662) in addition to an act entitled "An act in relation to military land warrants," approved August 14, 1848, reported it with an amendment.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (S. 364) granting to the State of Mississippi, the right of way and a donation of public lands, for the purpose of locating and constructing a railroad from Brandon to the eastern border of said State, in the direction of Montgomery, Alabama, reported it without amendment.

Mr. Rusk, from the Committee on Military Affairs, to whom was referred the memorial of Marvin W. Fisher, submitted a report, accompanied by a bill (S. 403) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Bradbury, from the Committee of Claims, to whom was referred the memorial of Charles Colburn, submitted an adverse report; which was ordered to be printed.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred the memorial of the governor and other public functionaries of Florida in favor of the claim of Toney Proctor, submitted an adverse report; which was ordered to be printed.

On motion by Mr. Downs,

Ordered, That the Committee on Private Land Claims be discharged from the further consideration of the petition of the widow and children of John Robertson.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the petition of George Martin, submitted a report, accompanied by a bill (S. 404) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Metcalfe, from the Committee on Military Affairs, to whom was referred the petition of Hugh W. Dobbin, submitted a report; which was read.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (H. R. 723) for the relief of Salsy Darby, of Randolph county, and State of Georgia, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The *said bill was read* a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (H. R. 724) for the relief of Charles Wilson, reported it without amendment, and submitted a special report on the subject.

The Senate proceeded to consider the said bill (H. R. 724) as in Committee of the Whole, and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass, with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment,

The Senate proceeded to consider the resolution, submitted yesterday by Mr. Hamlin, in relation to the appointment of Noah Hanson; and having been amended

On motion by Mr. Yulee,

Ordered, That it be referred to the Committee on the Contingent Expenses of the Senate.

The Senate proceeded to consider the resolution submitted by Mr. Dodge, of Iowa, the 24th instant, relating to the establishment of certain post routes; and the resolution was agreed to.

The Senate proceeded to consider the resolution submitted the 23d instant, by Mr. Johnson, of Louisiana, in relation to allowances to certain officers, non-commissioned officers, musicians, and privates, in the army of the United States; and the resolution was agreed to.

Mr. Yulee asked, and by unanimous consent, obtained leave to bring in a bill (S. 405) to grant to the Atlantic and Gulf Railroad Company the right of way through the public lands of the United States; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 169) for the relief of Frederick Dawson, James Schott, and Elisha Dana Whitney; and,

On motion by Mr. Johnson, of Maryland,

Ordered, That the further consideration of the bill be postponed until to-morrow.

Mr. Rusk reported, from the committee, that they had examined and found duly enrolled the bill S. 361, an act to authorize the issuing of a register or enrolment to the ship Annie Tift;

And that they had this day presented to the President of the United States the following acts:

H. R. 20. An act for the relief of Edward Quinn.

H. R. 60. An act for the relief of Elizabeth Mays.

H. R. 63. An act for the relief of James H. Conley.

H. R. 77. An act for the relief of Stephen Champlin.

H. R. 121. An act for the relief of G. F. De la Roche and William P. S. Sanger.

H. R. 128. An act for the relief of Thomas Badger.
H. R. 198. An act for the relief of Joseph Bryan.
H. R. 277. An act granting a pension to John Morrison.
H. R. 295. An act for the relief of William Harding.
S. 351. An act authorizing the payment of interest upon advances made by the State of Alabama for the use of the United States government, in the suppression of the Creek Indian hostilities of 1836 and 1837, in Alabama.
H. R. 665. An aet to supply deficiencies in the appropriations for the service of the fiscal year ending the 30th of June, 1849.
H. R. 363. An act for the relief of Captain Dan D'ake Henrie.

The Senate resumed the consideration of the motion to reconsider the vote of the 18th instant, on passing the bill (H. R. 270) for the relief of John Percival; and,

On the question to agree to the motion,

It was determined in the negative, { Yeas..... 12 / Nays..... 30

On motion by Mr. Niles,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Breese, Bright, Dickinson, Dodge, of Iowa, Felch, Hamlin, Metcalfe, Niles, Turney.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Bradbury, Butler, Clarke, Corwin, Davis, of Massaehusetts, Dayton, Dix, Downs, Foote, Greene, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mason, Miller, Pearce, Phelps, Rusk, Spruance, Sturgeon, Underwood, Upham, Walker, Westcott, Yulee.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 32) for the relief of David Myerle.

On motion by Mr. Atchison, that the further consideration thereof be postponed until to-morrow,

It was determined in the negative, { Yeas..... 10 / Nays..... 31

On motion,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Borland, Bradbury, Dix, Felch, Metcalfe, Sturgeon, Turney, Underwood.

Those who voted in the negative are,

Messrs. Allen, Badger, Baldwin, Bell, Berrien, Breese, Bright, Clarke, Corwin, Davis, of Massachusetts, Dayton, Dickinson, Dodge, of Iowa, Douglas, Downs, Fitzpatrick, Foote, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, King, Mason, Miller, Niles, Pearce, Rusk, Spruance, Walker, Westcott, Yulee.

After debate,

On motion by Mr. Atchison,

The Senate adjourned.

FRIDAY, JANUARY 26, 1849.

Mr. Underwood presented the credentials of the honorable Thomas Metcalfe, chosen a Senator by the Legislature of Kentucky until the 4th day of March, 1849; which were read; and the oath prescribed by law was administered to Mr. Metcalfe.

Mr. Rusk presented a memorial of members of the bar in Galveston, Texas, praying that the salary of the United States district judge for the district of Texas may be increased.

Ordered, That it lie on the table.

Mr. Sebastian presented a resolution, passed by the Legislature of the State of Arkansas, instructing the Senators and requesting the Representatives of that State in Congress to use their exertions to procure the enactment of a law to authorize the Legislature of Arkansas to enter certain salt spring lands; which was referred to the Committee on Public Lands.

Mr. Atherton presented resolutions, passed by the Legislature of the State of New Hampshire, in favor of the enactment of a law forever prohibiting slavery in New Mexico and California, and in all other territories now belonging to or which may hereafter be acquired by the United States in which slavery did not exist at the time of acquisition.

Ordered, That they be printed.

Mr. Atherton presented a resolution, passed by the Legislature of the State of New Hampshire, approving the votes of the Representatives of that State in Congress at the present session on the subject of the slave trade in the District of Columbia, and requesting their concurrence in all constitutional legislation to prevent the traffic in slaves in said District.

Ordered, That it be printed.

Mr. Breese presented a petition of citizens of Illinois, praying a grant of land to that State to aid in the construction of a railroad from the upper and lower Mississippi to Chicago; which was referred to the Committee on Public Lands.

Mr. Butler presented a petition of citizens of Edgefield district, South Carolina, praying the establishment of a post office at the residence of J. S. Smyly, in that district; which was referred to the Committee on the Post Office and Post Roads.

Mr. Niles presented a petition of citizens of Winchester, Connecticut, and a petition of citizens of Windham, Vermont, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That they lie on the table.

Mr. Sturgeon presented a petition of citizens of Chester county, Pennsylvania, praying an increase of the duties on foreign manufactures; which was referred to the Committee on Finance.

Mr. Baldwin presented a petition of female inhabitants of Middletown, Connecticut, praying the adoption of measures for preventing the further extension of American slavery and for suppressing the slave trade in the territories under the jurisdiction of Congress.

The motion to receive the petition being objected to,

Ordered, That the motion lie on the table.

Mr. Dix presented the petition of Abraham L. Knickerbocker, praying compensation for an injury received while employed in the United States arsenal at Watervliet; which was referred to the Committee on Pensions.

Mr. Houston presented the petition of Robert Rhea, a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Dix presented the memorial of the Nautical Institution and Shipmasters' Society of the city of New York, praying that proper facilities may be extended to Lieutenant Maury, of the United States navy, for the completion of his wind and current charts; which was referred to the Committee on Naval Affairs.

On motion by Mr. Davis, of Mississippi,

Ordered, That the petition of the representative of Joseph Vidal, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Bell,

Ordered, That John Stealy have leave to withdraw his petition and papers.

On motion by Mr. Sturgeon,

Ordered, That James Harley have leave to withdraw his petition and papers.

Mr. King submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate be instructed to inquire into the expediency of regulating by law the number of officers, clerks, messengers, and other persons to be employed in the service of the Senate, either in the Capitol or the public grounds, and to fix the compensation each shall receive.

Mr. Niles submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Postmaster General be directed to communicate to the Senate the particulars of the postal arrangement made with Bremen for the reception and distribution of mails from the United States; the reduction of postage, if any, in Bremen and other neighboring States, on letters from this country, and the services performed by the post office at Bremen, in relation to our mails, and his opinion of the effects of such arrangements on the intercourse and commercial interests of the United States in connexion with the mail line to Bremen.

On motion by Mr. Hannegan,

Ordered, That when the Senate adjourn, it be to Monday next.

Mr. Breese, from the Committee on Public Lands, to whom was referred a bill (S. 405) to grant to the Atlantic and Gulf Railroad Company the right of way through the public lands of the United States, reported it without amendment.

The Senate *proceeded to consider*, as in Committee of the Whole,

the bill last mentioned; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Phelps, from the Committee on Pensions, to whom the subject was referred, reported a bill (S. 406) for the relief of Timothy Cavan; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Metcalfe, from the Committee on Military Affairs, to whom was referred the petition of William R. Campbell, reported a bill (S. 407) for the benefit of William R. Campbell, George Myers, and John Kincart; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole:

On motion by Mr. Niles,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (S. 369) to establish an additional land office in Iowa, reported it with amendments.

Mr. Borland, from the Committee on Military Affairs, to whom was referred the bill (S. 401) for the relief of Cincinnatus Trousdale and John G. Connelley, of Arkansas, reported it without amendment, and submitted a report on the subject, which was ordered to be printed.

Mr. Fitzpatrick, from the Committee of Claims, to whom was referred the bill (H. R. 358) for the relief of David Shepard, reported it without amendment.

Mr. Baldwin, from the Committee of Claims, to whom was referred the bill (S. 35) for the relief of Asa Andrews, of Ipswich, in the State of Massachusetts, reported the same without amendment, and submitted an adverse report on the subject; which was ordered to be printed.

Mr. Bradbury, from the Committee of Claims, to whom was referred the petition of Ephraim F. Gilbert, submitted an adverse report; which was ordered to be printed.

Agreeably to notice, Mr. Jones asked and obtained leave to bring in a bill (S. 408) to authorize the laying off of a town at the Trader's Point, on the Missouri river, in the State of Iowa, and for other purposes; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

The Senate resumed, as in Committee of the Whole, the bill (S.

93) to establish an additional district court of the United States in the State of Texas; and, having been amended on the motion of Mr. Rusk:

On motion by Mr. Dayton,

Ordered, That the further consideration of the bill be postponed to Tuesday next, and be the order of the day; and that it be printed as amended.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills and a joint resolution of the following titles:

H. R. 695. An act making appropriations for the support of the army for the year ending the 30th of June, 1850.

H. R. 742. An act to incorporate the Oak Hill cemetery, in the District of Columbia.

H. R. 744. An act to repeal a provision of an act to establish certain post routes, approved August 14, 1848.

H. R. 48. Joint resolution authorizing the Secretary of the Treasury to cancel certain bonds for duties on goods destroyed by fire while in the public store at Norfolk, Virginia.

The House of Representatives concur in the amendment of the Senate to the bill (H. R. 724) for the relief of Charles Wilson.

The Speaker of the House of Representatives having signed an enrolled bill, (S. 361,) I am directed to bring it to the Senate for the signature of their President.

The Vice President signed the enrolled bill (S. 361) yesterday reported to have been examined; and it was delivered to the committee, to be presented to the President of the United States.

Mr. Bradbury, from the Committee of Claims, reported a bill (S. 409) establishing a board of commissioners for the investigation of claims against the United States; which was read and passed to the second reading.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 169) for the relief of Frederick Dawson, James Schott, and Elisha Dana Whitney; and, after debate,

On motion by Mr. Baldwin,

Ordered, That the further consideration thereof be postponed until Monday next.

After the consideration of executive business,

The Senate adjourned.

MONDAY, January 29, 1849.

The Vice President laid before the Senate a communication from the Secretary of War in further compliance with the resolution of the Senate of the 3d August last, in relation to a map of the valley of Mexico; which was read, and ordered to be printed.

The Vice President presented the memorial of Horatio Hubbell and John Henry Sherburne, praying the aid of government in the establishment of a telegraphic communication across the Atlantic ocean; which was referred to the Committee on Commerce.

Mr. Butler presented proceedings adopted by the Charleston Chamber of Commerce, expressive of their gratification at the progress made in the operations of the coast survey under Professor Bache; which were referred to the Committee on Commerce.

Mr. Clarke presented a petition of citizens of Rhode Island, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Dix presented a petition of citizens of Cayuga county, New York, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Cameron presented a petition of inhabitants of the State of Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia; and a petition of inhabitants of the State of Pennsylvania, praying the adoption of measures for effecting such a change in the constitution and laws as will abolish slavery throughout the Union in a manner consistent with the rights of every section thereof.

The motion to receive the petitions being objected to,

Ordered, That the motion lie on the table.

Mr. Bradbury presented a petition of citizens of Maine, praying that the rates of postage may be reduced and the franking privilege abolished; which was

Ordered, To lie on the table.

Mr. Sebastian submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of extending the Napoleon and Rocksoo mail line, by steamers, to Batesville, on White river, in the State of Arkansas.

Mr. Rusk, from the Committee on Revolutionary Claims, to whom was referred the bill (H. R. 336) for the relief of the heirs of Joshua Eddy, deceased, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed, and the bill be read a third time.

The said bill was read a third time.

On motion,

Ordered, That the further consideration of the bill be postponed to Thursday next.

Mr. Douglass, from the select committee, to whom was referred the bill (S. 350) for the admission of California into the Union as a State, reported it with an amendment; which was ordered to be printed.

Mr. Atchison, from the Committee on Indian Affairs, to whom were referred the documents relating to the claim of Margueritta Reneau, submitted an adverse report; which was ordered to be printed.

Mr. Dix, from the Committee on Military Affairs, to whom was referred the petition of John A. Webber, submitted a report, accompanied by a joint resolution (S. 53) allowing an additional compensation to military storekeeper John A. Webber.

The resolution was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the report of the Secretary of War, accompanied by a map of the valley of Mexico, reported the following resolution; which was read.

Resolved, That the Secretary of the Senate be authorized to contract for lithographing and printing ten thousand copies, for the use of the Senate, of the map of the valley of Mexico, from surveys by Lieutenants Smith and Hardcastle, of the United States topographical engineers, reduced from the original according to the projection to be furnished under the direction of the Secretary of War, by the said Smith and Hardcastle.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, who were instructed to inquire into the expediency of loaning the Norwich university, in the State of Vermont, two well-mounted field pieces, submitted an adverse report; which was ordered to be printed.

Mr. Underwood, from the Committee of Claims, to whom was referred the petition of the heirs of Joseph Watson, deceased, submitted a report, accompanied by a bill (S. 410) for the relief of the legal representatives of Joseph Watson, deceased.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Niles, from the Committee on the Post Office and Post Roads, to whom was referred the bill (H. R. 85) for the relief of William De Buys, late postmaster at New Orleans, reported the same without amendment, and that the bill ought not to pass.

On motion by Mr. Bright,

Ordered, That the Committee on Revolutionary Claims be discharged from the further consideration of the petition of John B. White.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the memorial of Priscilla Decatur Twiggs.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I communicate herewith a report of the Secretary of State, with the accompanying documents, in answer to a resolution of the Senate of the 21st December, 1848, requesting the President "to communicate to the Senate (if, in his opinion, not incompatible with the public service,) a copy of the despatches transmitted to the Secretary of State in August last, by the resident minister at

Rio de Janiero, in reference to the service and general conduct of Commodore G. W. Storer, commander-in-chief of the United States naval forces on the coast of Brazil."

JAMES K. POLK.

WASHINGTON, *January* 29, 1849.

The message was read.

Ordered, That it be referred to the Committee on Naval Affairs.

A message from the President of the United States by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, the 26th instant, the bill (S. 351) authorizing the payment of interest upon the advances made by the State of Alabama, for the use of the United States government, in the suppression of the Creek Indian hostilities of 1836 and 1837 in Alabama.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 352) to make compensation for the transportation of troops and supplies, for a limited time, over the isthmus of Panama; and an amendment having been proposed by Mr. Douglas,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 297) to set apart and sell to Asa Whitney, of New York, a portion of the public lands to enable him to construct a railroad from Lake Michigan to the Pacific ocean; and an amendment having been proposed by Mr. Foote,

Ordered, That the further consideration of the bill be postponed to, and made the special order of the day for Monday next, the 5th February.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the following bills from the Senate:

S. 11. An act to compensate John M. Moore.

S. 83. An act for the relief of Joseph F. Caldwell.

S. 69. An act for the relief of Creed Taylor.

S. 94. An act for the relief of Thomas Douglas, late United States attorney for East Florida.

The House of Representatives have passed the following bills, with an amendment to each:

S. 81. An act for the relief of the forward officers of the late exploring expedition;

S. 106. An act to provide for the settlement of the claim of Henry Washington, late a deputy surveyor of the public lands in Florida; in which amendments they request the concurrence of the Senate.

The House of Representatives have passed the following bills:

H. R. 542. An act for the relief of Josiah P. Pilcher;

H. R. 541. An act for the relief of Robert B. Mitchell;

H. R. 517. An act to confirm the title to section 16 and the west half of section 12 in township 3 north, range 16 east, in Seneca county, Ohio;

H. R. 436. An act for the relief of the legal owners of the ship James Mitchell;

H. R. 438. An act for the relief of Edward Myers;

H. R. 441. An act for the relief of William Gove;

H. R. 563. An act for the relief of Samuel Graves;

H. R. 426. An act for the relief of Israel Johnson;

H. R. 497. An act for the relief of E. B. Cogswell;

H. R. 498. An act for the relief of Jesse Sutton;

H. R. 510. An act for the relief of Lowry Williams;

H. R. 570. An act for the relief of Lewis H. Bates and William Lacon;

H. R. 571. An act for the relief of William Milford;

H. R. 495. An act for the relief of the heirs of Lieutenant Bartlett Hinds;

H. R. 496. An act for the relief of the heirs of Captain Nehemiah Stokely, deceased;

H. R. 536. An act for the relief of the heirs and legal representatives of Captain Presley Thornton, deceased;

H. R. 538. An act to provide for seven years' half pay due to Sarah Ann Dye, who was the widow of Lieutenant Jonathan Dye, an officer in the army of the United States, and who was killed in the battle of Brandywine;

H. R. 540. An act for the relief of Abigail Stafford;

H. R. 389. An act for the relief of A. Baudouin and A. D. Robert;

H. R. 399. An act for the relief of the legal representatives of Oliver Lee, deceased;

H. R. 481. An act for the relief of William P. Yonge;

H. R. 512. An act for the relief of the legal representatives of Darius Garrason;

H. R. 513 An act for the relief of Staunton W. Gaar;

H. R. 514. An act for the relief of William Snavely, of Indiana;

H. R. 527. An act for the relief of Ira F. Horton;

H. R. 528. An act for the relief of Augustus Ford;

H. R. 530. An act for the relief of James Y. Smith;

H. R. 531. An act for the relief of James Moorehead;

H. R. 566. An act for the relief of John F. Ohl;

H. R. 567. An act for the relief of Thomas L. Judge;

H. R. 568. An act for the relief of Satterlee Clark;

H. R. 569. An act for the relief of the president and directors of the Union Bank of Florida;

H. R. 583. An act for the relief of Thomas H. Noble;

H. R. 584. An act for the relief of John Howe;

H. R. 202. An act for the relief of William Blake;

H. R. 230. An act to increase the pension of Henry Click, of Cocke county, Tennessee;

H. R. 232. An act for the relief of the legal representatives of Abraham Hogeboom, deceased;

H. R. 445. An act for the relief of Elizabeth Williamson;
H. R. 446. An act for the relief of Sarah White;
H. R. 449. An act for the relief of John Wilson;
H. R. 450. An act for the relief of Robert Whittet;
H. R. 447. An act for the relief of Polly Aldrich;
H. R. 453. An act for the relief of Amos Armstrong;
H. R. 454. An act for the relief of Edward Taylor;
H. R. 455. An act for the relief of Warren Raymond;
H. R. 457. An act for the relief of Philip Miller;
H. R. 501. An act for the relief of Henry Miller;
H. R. 545. An act for the relief of Polly Dameron, widow of Charles Dameron, deceased;
H. R. 546. An act for the relief of Elizabeth Kinney;
H. R. 547. An act for the relief of Mary G. Leverett;
H. R. 548. An act for the relief of Mary Buck;
H. R. 549. An act for the relief of William Whitcher;
H. R. 550. An act for the relief of Francis Tribon;
H. R. 551. An act for the relief of Edward Cole;
H. R. 552. An act for the relief of George J. Claflin;
H. R. 554. An act for the relief of David Towle;
H. R. 555. An act for the relief of Henry Childs;
H. R. 557. An act for the relief of Isaac Downs;
H. R. 558. An act for the relief of Joseph D. Ward;
H. R. 599. An act for the relief of Giles Landon;
H. R. 560. An act for the relief of Gardner Herring;
H. R. 561. An act for the relief of David Murphy; in which they request the concurrence of the Senate.

The resolution (H. R. 48) authorizing the Secretary of the Treasury to cancel certain bonds for duties on goods destroyed by fire while in public store at Norfolk, Virginia, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Finance.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R 691) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1850, and having been amended on the motion of Mr. Atherton, it was reported to the Senate; and the amendments were concurred in.

On motion by Mr. Bell further to amend the bill, by inserting at the end thereof the following:

"For carrying into effect the treaty of the sixth August, eighteen hundred and forty-six, with the Cherokees, in addition to the sum heretofore appropriated, the further sum of one million two hundred and thirty-one thousand four hundred and twenty-four dollars and seventy-five cents; that is to say: the sum of five hundred and eighty-six thousand three hundred and ninety-eight dollars and forty-six cents, to carry into effect the provisions of the fourth and fifth articles of the treaty of the sixth August, eighteen hundred *and forty-six*, with the Cherokees; and the sum of six hundred and *forty-five thousand* twenty-six dollars and twenty-nine cents, to

carry into effect the ninth article of the said treaty with the Cherokees."

It was determined in the affirmative, { Yeas ..... 25 / Nays 13

On motion by Mr. Niles,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Baldwin, Bell, Benton, Berrien, Butler, Corwin, Davis, of Massachusetts, Dayton, Dodge, of Iowa, Fitzgerald, Greene, Hannegan, Houston, Jones, Metcalfe, Miller, Niles, Phelps, Rusk, Sebastian, Spruance, Underwood, Upham.

Those who voted in the negative are,

Messrs. Atherton, Borland, Bradbury, Bright, Davis, of Mississippi, Dickinson, Dix, Fitzpatrick, Johnson, of Georgia, King, Mason, Sturgeon, Westcott.

So the amendment was agreed to.

No further amendment being made,

Ordered, That the amendments be engrossed, and the bill be read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 30, 1849.

Mr. Allen presented the petition of E. S. Haines, praying to be released from liability as surety for Robert T. Lytle, late surveyor general of the district of Ohio; which was referred to the Committee on Public Lands.

Mr. Davis, of Massachusetts, presented the petition of Little and Brown, praying the patronage of the government in a publication which they propose to issue, of the writings of John Adams, second President of the United States; which was referred to the Committee on the Library.

Mr. Dickinson submitted documents relating to the claims of certain Seneca Indians to indemnity for the loss of their rations and other property during their emigration to the southwest; which were referred to the Committee on Indian Affairs.

Mr. Rusk presented the petition of Emma C. B. Thompson, praying compensation for diplomatic services rendered by her husband, the late Commodore Charles Thompson, while in command of a United States squadron abroad; which was referred to the Committee on Naval Affairs.

Mr. Butler presented the petition of Peter Brown, praying compensation for expenses incurred and losses sustained in attending the United States court at Philadelphia, as a witness, under compulsory process; which was referred to the Committee of Claims.

Mr. *Metcalfe submitted* documents relating to the claim of Jo-

seph M. Farrow, a soldier in the last war with Great Britain, to a pension; which were referred to the Committee on Pensions.

Mr. Calhoun presented proceedings of the Charleston Chamber of Commerce, expressive of their gratification at the progress made in the operations of the coast survey under Professor Bache; which were referred to the Committee on Commerce.

Mr. Douglas presented a resolution passed by the Legislature of the State of Illinois, instructing the Senators, and requesting the representatives of that State in Congress to use their exertions to procure donations of land to the State of Illinois, to aid in the completion of certain railroads within the limits of the State.

Ordered, That it lie on the table, and be printed.

Mr. Douglas presented a resolution passed by the Legislature of the State of Illinois, instructing the Senators, and requesting the representatives of that State in Congress, to use all honorable means in their power to procure the enactment of such laws for the government of the territories acquired by the United States under the treaty of 2d February, 1848, with Mexico, as shall expressly declare that there shall be neither slavery nor involuntary servitude in those territories, unless for the punishment of crimes.

Ordered, That it lie on the table, and be printed.

Mr. Douglas presented a resolution passed by the Legislature of the State of Illinois, in favor of a grant of public land to that State, to aid in the construction of the Central and Northern Cross Railroads.

Ordered, That it lie on the table, and be printed.

Mr. Cameron presented twelve petitions of citizens of the State of Pennsylvania, praying an increase of the duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Cameron presented a memorial of citizens of Philadelphia, Pennsylvania, praying the purchase of Mount Vernon by the government; which was referred to the Committee on Military Affairs.

Mr. Butler submitted a document relating to the bill (H. R. 659) further to continue in force the acts for the payment of horses and other property lost in the military service of the United States; which was referred to the Committee on Military Affairs.

Mr. Breese presented two petitions of citizens of Illinois, praying a grant of lands to that State, to aid in the construction of a railroad from the upper and lower Mississippi to Chicago.

Ordered, That they lie on the table.

On motion by Mr. Niles,

Ordered, That the petition of Ezra Chapman, on the files of the Senate, be referred to the Committee on Revolutionary Claims.

Mr. Breese submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Senate be directed to furnish to the Commissioner of the General Land Office five hundred copies of the map which accompanied the Commissioner's report of the 22d November, 1848, as printed with the President's last annual message.

The Vice President laid before the Senate a communication from

the Solicitor of the Treasury, accompanied by the decision of the arbitrator, to whom was submitted the claim of the Catholic society of St. Augustine to the military barracks at that place; which was read, and referred to the Committee on the Judiciary.

Ordered, That it be printed; and that one hundred additional copies be printed for the use of the Senate.

The Vice President laid before the Senate a report of the Secretary of the Navy, made in compliance with a resolution of the Senate, in relation to any contract for the supply of water-rotted hemp; which was read, and referred to the Committee on Naval Affairs.

On motion by Mr. Atchison,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the memorial presented on the subject of the civilization and preservation of the Indians.

On motion by Mr. Atchison,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the petition of chiefs and heads of families of the Kickapoo Indians.

On motion by Mr. Atchison,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the memorial of the Legislature of Wisconsin on the subject of a treaty with the Menomonie Indians.

On motion by Mr. Atchison,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the resolution of the Legislature of Texas, presented the 17th April; and that so much of the said resolution as relates to a chain of military posts in advance of the settlements between Red river and the Rio Grande, be referred to the Committee on Military Affairs.

Mr. Breese, from the Committee on Public Lands, reported a bill (S. 411) to change the location of the land office in the Chippewa land district; which was read, and passed to the second reading.

The Senate proceeded to consider the resolution submitted by Mr. Badger the 25th instant, in relation to the contract for publishing the debates and proceedings of the Senate; and the resolution was amended and agreed to, as follows:

Resolved, That the committee to audit and control the contingent expenses of the Senate inquire into the expediency of discontinuing or modifying the contract made at the last session for publishing reports of the debates and proceedings of the Senate.

The bill (S. 239) to provide for the more effectual execution of the third clause of the second section of the fourth article of the constitution of the United States, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Butler,

Ordered, That the further consideration thereof be postponed to, and made the order of the day for Monday, the 5th of February.

The three bills received from the House of Representatives for

concurrence, the 26th instant, were read the first and second times by unanimous consent.

Ordered, That the bill numbered 742 be referred to the Committee on the District of Columbia; that the bill numbered 744 be referred to the Committee on the Post Office and Post Roads; and that bill numbered 695 be referred to the Committee on Finance.

The sixty-two bills yesterday received from the House of Representatives for concurrence, were severally read the first and second times by unanimous consent.

Ordered, That the bill numbered 517 be referred to the Committee on Public Lands; that the bills numbered 570, 571, be referred to the Committee on Commerce; that the bills numbered 495, 496, 536, 538, and 540, be referred to the Committee on Revolutionary Claims; that the bills numbered 436, 438, 441, and 563, be referred to the Committee on Naval Affairs; that the bills numbered 232, 426, 497, 498, 510, and 541, be referred to the Committee on Indian Affairs; that the bills numbered 389, 399, 481, 512, 513, 514, 527, 528, 530, 531, 566, 567, 568, 569, 583, and 584, be referred to the Committee of Claims; and that the bills numbered 202, 230, 445, 446, 447, 449, 450, 453, 454, 455, 457, 501, 545, 546, 547, 548, 549, 550, 551, 552, 554, 555, 557, 558, 559, 560, and 561, be referred to the Committee on Pensions; and that the bill numbered 542, be referred to the Committee on Military Affairs.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills of the following titles:

H. R. 696. An act making appropriations for the support of the military academy for the year ending the 30th June, 1850;

H. R. 697. An act making appropriations for the payment of revolutionary and other pensions of the United States for the year ending the 30th of June, 1850;

H. R. 698. An act making appropriations for the payment o navy pensions for the year ending the 30th of June, 1850;

in which they request the concurrence of the Senate.

The three bills last brought from the House of Representatives for concurrence, were read the first and second times by unanimous consent.

Ordered, That they be referred to the Committee on Finance.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 106) to provide for the settlement of the claim of Henry Washington, late a deputy surveyor of the public lands in Florida; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 81) for the relief of the forward officers of the late exploring expedition; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following bills:

S. 11. An act for the relief of John M. Moore.

S. 69. An act for the relief of Creed Taylor.

S. 83. An act for the relief of J. F. Caldwell.

S. 94. An act for the relief of Thomas Douglas, late United States attorney for East Florida.

H. R. 113. An act for the relief of the owners of the Spanish brig Restaurador.

H. R. 270. An act for the relief of Captain John Percival.

H. R. 723. An act for the relief of Salsy Darby, of Randolph county, and State of Georgia.

H. R. 724. An act for the relief of Charles Wilson.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 352) to make compensation for the transportation of troops and supplies for a limited time over the isthmus of Panama.

And after debate,

On motion by Mr. Badger,

The Senate adjourned.

WEDNESDAY, JANUARY 31, 1849.

Mr. Clayton presented the petition of William H. Topping, praying compensation for his services as secretary to the commissioners appointed to investigate the affairs of the New York custom-house in 1841; which was referred to the Committee of Claims.

Mr. Clayton presented the petition of Samuel S. Rind, praying compensation for services rendered in the office of the Third Auditor; which was referred to the Committee of Claims.

Mr. Clayton presented the petition of William C. Anderson, praying to be released from a judgment against him in favor of the United States as security for John S. Lambden, late postmaster at Smyrna, in Delaware; which was referred to the Committee on the Post Office and Post Roads.

Mr. Clayton presented a petition of citizens of Schuylkill county, Pennsylvania, praying such an increase of the duties on foreign imports as will yield protection to domestic industry; which was referred to the Committee on Finance.

Mr. Corwin presented the memorial of James B. Moore and Company, praying the aid of government in the establishment of a line of mail steamers from California to China and the East Indies; which was referred to the Committee on Naval Affairs.

Mr. Dix presented twenty-eight petitions of citizens of the United States, praying the enactment of a law to prohibit the use of intoxicating liquors in the navy, except for medicinal purposes; which were referred to the Committee on Naval Affairs.

Mr. Dix presented fifty-five petitions of citizens of the United States, praying the *enactment* of a law to prohibit corporeal pun-

ishment in the military and naval service; which were referred to the Committee on Naval Affairs.

Mr. Dix presented a petition of citizens of Buffalo, New York, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Douglas presented a resolution, passed by the Legislature of the State of Illinois, in favor of the enactment of a law for the improvement of the navigation of the Mississippi, Ohio, and Illinois rivers, and for the improvement and protection of the harbors on the northern lakes:

Ordered, That it lie on the table and be printed.

Mr. Douglas presented a resolution, passed by the Legislature of the State of Illinois, in favor of the enactment of a law to protect the pre-emption rights of settlers on public lands that may have been granted to that State for purposes of internal improvement:

Ordered, That it lie on the table and be printed.

Mr. Douglas presented two petitions of citizens of Illinois, praying a grant of public land to that State to aid in the construction of a railroad from the upper and lower Mississippi to Chicago:

Ordered, That they lie on the table.

Mr. Upham presented the petition of John Mitchell, praying to be allowed an increase of his pension; which was referred to the Committee on Pensions.

Mr. Sturgeon presented a petition of citizens of Mifflin county, Pennsylvania, praying such an increase of the duties on foreign imports as will afford protection to the domestic industry of the country; which was referred to the Committee on Finance.

Mr. Sturgeon submitted a document showing the names of officers and soldiers of the Pennsylvania line of the revolutionary army entitled to donation lands; which was referred to the Committee on Revolutionary Claims.

Mr. Bright presented the petition of Francis Ann Eson, widow of James Eson, a volunteer in the Mexican war, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Dodge, of Iowa, presented a resolution, passed by the Legislature of the State of Iowa, in favor of the establishment of a land office at Fort Des Moines:

Ordered, That it lie on the table and printed.

Mr. Westcott presented resolutions, passed by the Legislature of the State of Florida, in favor of the adoption of measures by the government for confining the Indian tribes in that State within their prescribed limits, and for their speedy removal west of the Mississippi; which were referred to the Committee on Military Affairs and ordered to be printed.

Mr. Clayton presented two petitions of citizens of the county of Philadelphia, in the State of Pennsylvania, praying an increase of the duties on foreign manufactures; which were referred to the Committee on Finance.

Mr. Clayton submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee be appointed, to join such committee as may be appointed by the House of Representatives, to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election.

On motion,

Ordered, That the Committee be appointed by the Vice President; and

Mr. Clayton, Mr. Davis, of Mississippi, and Mr. Davis, of Massachusetts, were appointed the committee.

Ordered, That the Secretary request the concurrence of the House of Representatives in the resolution.

Mr. Metcalfe submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Pensions be instructed to inquire into the expediency of allowing a pension to Joseph M. Farrow.

Mr. Jones, by unanimous consent, asked and obtained leave to bring in a bill (S. 412) making an appropriation for the construction of a road from the falls of St. Louis river of Lake Superior to point Douglass, on the Mississippi river; which was read the first and second times by unanimous consent, and referred to the Committee on Roads and Canals.

Mr. Jones, by unanimous consent, asked and obtained leave to bring in a bill (S. 413) declaratory of the act for the admission of the State of Iowa into the Union; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed, and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom were referred the petition of Nathaniel Webb; the petition of James H. Duffer; and the petition of the heirs and legal representatives of Joseph Spencer, submitted an adverse report in each case; which reports were ordered to be printed.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of John W. Skiles.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred a memorial of the Legislature of Arkansas on the subject of a national road from Fort Smith to California, submitted a report, accompanied by a joint resolution (S. R. 54) to provide for topographical surveys and reports of routes from the *valley of the Mississippi* to the Pacific ocean.

The resolution was read, and passed to the second reading; and

Ordered, That it be the special order of the day for Wednesday, the 7th February.

Ordered, That the report be printed.

Mr. Bright, from the Committee on Naval Affairs, to whom was referred the joint resolution (H. R. 20) for the relief of Samuel T. Anderson, reported it without amendment; and that it ought not to pass.

Mr. Bright also submitted a report on the subject; which was ordered to be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 93) to establish an additional district court of the United States in the State of Texas; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 407) for the benefit of William R. Campbell, George Myers, and John Kincart; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following bills:

S. 81. An act for the relief of the forward officers of the exploring expedition.

S. 106. An act to provide for the settlement of the claim of Henry Washington, late a deputy surveyor of the public lands in Florida.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed ten enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the ten enrolled bills last reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 13) to grant to the State of Illinois a right of way through the public lands, and for other purposes; and having been amended, it was reported to the Senate, and the amendments *were concurred in.*

Ordered, That the bill be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 352) to make compensation for the transportation of troops and supplies for a limited time over the isthmus of Panama.

And after debate,

On motion by Mr. Dickinson,

Ordered, That it lie on the table.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, FEBRUARY 1, 1849.

The Vice President presented a memorial of citizens of Philadelphia, Pennsylvania, praying the enactment of a law for the better regulation of the mileage of members of Congress; which was referred to the Committee on the Judiciary.

Mr. Breese presented a petition of citizens of Illinois, praying a grant of public land to that State to aid in the construction of a railroad from the upper and lower Missisippi to Chicago.

Ordered, That it lie on the table.

Mr. Dix presented two petitions of citizens of New York, praying the enactment of a law to prohibit the use of intoxicating liquors in the navy, except for medicinal purposes; which were referred to the Committee on Naval Affairs.

Mr. Dix presented a petition of merchants and others of New York, praying that buoys may be placed on the shoals on the outside of the island of Nantucket; which was referred to the Committee on Commerce.

Mr. Dayton presented a petition of citizens of Trenton, New Jersey, praying that the rates of postage may be reduced and the franking privilege abolished:

Ordered, That it lie on the table.

Mr. Borland presented the petition of S. W. Aldrich, David P. Wells, and N. H. Wyse, officers of a company of mounted rangers who served in the Mexican war, praying compensation for their services; which was referred to the Committee on Military Affairs.

Mr. Rusk reported from the committee that they presented to the President of the United States, the 31st January, the following acts:

H. R. 113. An act for the relief of the owners of the Spanish brig Restaurador.

H. R. 270. An act for the relief of Captain John Percival.

H. R. 723. An act for the relief of Salsy Darby, of Randolph county, and State of Georgia.

H. R. 724. An act for the relief of Charles Wilson.

S. 361. An act to authorize the issuing of a register or enrolment to the ship Annie Tift.

S. 81. An act for the relief of the forward officers of the late exploring expedition.

S. 106. An act to provide for the settlement of the claim of Henry Washington, late a deputy surveyor of the public lands in Florida.

S. 11. An act for the relief of John M. Moore.

S. 69. An act for the relief of Creed Taylor.

S. 83. An act for the relief of Joseph F. Caldwell.

S. 94. An act for the relief of Thomas Douglas, late United States attorney for East Florida.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (H. R. 517) to confirm the title to section sixteen and the west half of section twelve, in township three north, range sixteen east, in Seneca county, Ohio, reported it without amendment.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Mary Connelly.

Mr. Corwin, from the Committee on Public Lands, to whom the following bills were referred:

S. 357. Bill to authorize new selections of land in lieu of worthless school sections, or sections of inferior quality, and for other purposes;

S. 363. Bill granting to the State of Louisiana land for internal improvements; reported the same without amendment.

Mr. Atherton, from the Committee on Finance, who were instructed to inquire into the expediency of providing by law for the coinage of the gold dollar and the double eagle, reported a bill (S. 414) to authorize the coinage of gold dollars and double eagles; which was read, and passed to the second reading.

Mr. Breese, from the Committee on Public Lands, reported a bill (S. 415) to grant the right of way across the public lands, and to dispose of said land in aid of the several States in the construction of railroads and canals; which was read, and passed to the second reading.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (S. 20) from the Senate concerning testimony, with an amendment; in which they request the concurrence of the Senate.

They have passed bills from the Senate of the following titles:

S. 359. An act for the relief of William Plummer, executor of Starkey Armistead, deceased.

S. 406. An act for the relief of Timothy Cavan.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 85) for the relief of William De Buys, late postmaster at New Orleans; and no amendment being made, it was reported to the Senate.

On the question, "Shall this bill pass to a third reading?"

It was determined in the negative.

So the bill was rejected.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 261) for the relief of William Fuller; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed, and the bill read a third time.

The said bill was read a third time as amended, and the title was amended.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Pearce, by unanimous consent, asked and obtained leave to bring in a resolution (S. R. 55) extending the time for receiving proposals for the printing of Congress; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time by unanimous consent.

Resolved, That this resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this resolution.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 348) for the relief of the captors of the frigate Philadelphia; and having been amended, on the motion of Mr. Dix, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the bill be engrossed, and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 92) for the relief of William Fuller and Orlando Saltmarsh; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the President of the United States by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, this day, the following acts:

S. 81. An act for the relief of the forward officers of the late exploring expedition.

S. 106. An act to provide for the settlement of the claim of Henry Washington, late a deputy surveyor of the public lands in Florida.

S. 83. An act for the relief of Joseph F. Caldwell.

S. 361. An act to authorize the issuing of a register or enrolment to the ship Annie Tift.

S. 94. An act for the relief of Thomas Douglas, late United States attorney for East Florida.

S. 69. An act for the relief of Creed Taylor.

S. 11. An act to compensate John M. Moore.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 32) for the relief of David Myerle.

On motion by Mr. Hannegan, that it lie on the table.

It was determined in the negative, { Yeas..... 19 / Nays..... 27

On motion by Mr. Hannegan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Benton, Borland, Bradbury, Dix, Downs, Felch, Fitzgerald, Hamlin, Hannegan, Hunter, Johnson, of Georgia, Jones, Mason, Metcalfe, Sturgeon, Turney, Underwood, Upham.

Those who voted in the negative are,

Messrs. Atherton, Badger, Baldwin, Bell, Berrien, Bright, Butler, Clarke, Davis, of Mississippi, Dayton, Dickinson, Dodge, of Iowa, Douglas, Fitzpatrick, Foot, Greene, Houston, Johnson, of Louisiana, King, Miller, Niles, Pearce, Rusk, Spruance, Walker, Webster, Yulee.

On motion by Mr. Atchison,

The Senate adjourned.

FRIDAY, February 2, 1849.

The honorble Willie P. Mangum, from the State of North Carolina, attended.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I communicate herewith reports from the Secretary of State, the Secretary of the Treasury, Secretary of War, and the Secretary of the Navy, together with the accompanying documents, in answer to a resolution of the Senate of the 15th January, 1849, "that the petition and papers of John B. Emerson be referred to the President of the United States, and that he be requested to cause a report thereon to be made to the Senate, wherein the public officer making such report shall state in what cases, if any, the United States have used or employed the invention of said Emerson contrary to law; and further, whether any compensation therefor is justly due to said Emerson, and if so, to what amount in each case."

JAMES K. POLK.

Washington, February 1, 1849.

The message was read.

Ordered, That it be referred to the Committee on Patents and the Patent Office.

The Vice President laid before the Senate a report of the Secretary of War, made in compliance with a resolution of the Senate, showing the sums of money advanced to the party of the Cherokees known as the "old settlers," or "western Cherokees;" which was read, and referred to the Committee on Indian Affairs.

The Vice President laid before the Senate a report of the Secretary of War, made in compliance with a resolution of the Senate, in relation to the claim of Captain John McClelland's company of Florida volunteers; which was read, and referred to the Committee on Military Affairs.

Mr. Dix presented a petition of citizens of Long Island, New York, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Cameron presented one hundred and thirty-two petitions of citizens of Philadelphia county; nine petitions of citizens of Schuylkill county; six petitions of citizens of Luzerne county; five petitions of citizens of Montgomery county; five petitions of citizens of Clarion county; six petitions of citizens of Lehigh county; a petition of citizens of Columbia county; a petition of citizens of Blair county; and a petition of citizens of Lycoming county, in the State of Pennsylvania, praying such an increase of the duties on foreign imports as will afford protection to the domestic industry of the country; which were referred to the Committee on Finance.

Mr. Hamlin presented a petition of citizens of Machias, in the State of Maine, praying the erection of a fog-bell on Libby's island, in that State; which was referred to the Committee on Commerce.

Mr. Corwin presented a petition of citizens of Mercer county, Pennsylvania, praying an increase of the duties on foreign manufactures; which was referred to the Committee on Finance.

Mr. Bright submitted the following resolution, which was considered by unanimous consent; and having been amended to read as follows:

Resolved, That there be printed for the use of the Senate five thousand copies of the pension laws now in force, including the laws which provide for bounty lands to soldiers enlisted in the service of the United States, together with the forms:

On motion by Mr. Bright,

Ordered, That it be referred to the Committee on Pensions.

Mr. Benton presented a memorial of Thomas H. Holt and others, officers of a regiment of Missouri volunteers, praying to be allowed extra pay; which was referred to the Committee on Military Affairs.

Mr. Fitzgerald presented resolutions, passed by the Legislature of the State of Michigan, instructing the Senators and requesting the Representatives of that State in Congress to use all honorable means to procure the prohibition, by legislative enactment, of the

introduction of slavery within any of the territories of the United States now or hereafter to be acquired; which were read:

Ordered, That they be printed.

Mr. Breese presented a petition of citizens of Franklin county, Illinois, praying a reduction of the postage on newspapers.

Ordered, That it lie on the table.

Mr. Mason, by unanimous consent, asked and obtained leave to bring in a resolution (S. R. 56) authorizing the Secretary of War to furnish arms and ammunition to persons emigrating to Oregon, California, and New Mexico; which was read the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

The Vice President laid before the Senate a report of the Secretary of the Treasury, made in compliance with a resolution of the Senate, showing the number of persons holding stock in the several loans of the United States who have expressed the desire to have their dividends of interest made payable at the city of New York; which was read, and referred to the Committee on Finance.

Mr. Cameron presented a petition of George G. West, Charles S. Riché, and others, praying that the navy yard at Philadelphia may be enlarged; which was referred to the Committee on Naval Affairs.

Mr. Butler presented the memorial of William Byrd Page, a clerk in the Treasury Department, praying that certain arrears of compensation which he claims to be due him may be paid; which was referred to the Committee of Claims.

On motion by Mr. Borland,

Ordered, That the petition of Adam D. Steuart, on the files of the Senate, be referred to the Committee of Claims.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the resolution of the Senate for the appointment of a committee to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election; and have appointed Mr. Hunt, Mr. Barrow, Mr. McClelland, Mr. Truman Smith, and Mr. Harmanson, the committee on their part.

The President of the United States approved and signed, the 1st instant, the following acts:

H. R. 270. An act for the relief of Captain John Percival.

H. R. 723. An act for the relief of Salsy Darby, of Randolph county, and State of Georgia.

H. R. 113. An act for the relief of the owners of the Spanish brig Restaurador.

H. R. 724. An act for the relief of Charles Wilson.

Mr. Rusk reported, from the committee, that they had examined and found duly enrolled the following acts:

S. 359. An act for the relief of William Plummer, executor of *Starkey* Armistead, deceased.

S. 406. An act for the relief of Timothy Cavan.

On motion by Mr. Hamlin,

To reconsider the vote on passing to a third reading the bill (H. R. 85) for the relief of William De Buys,

Ordered, That the further consideration of the motion be postponed until to-morrow.

On motion by Mr. Cameron, that the Secretary request of the House of Representatives the return of the resolution (S. 55) extending the time for receiving proposals for the printing of Congress,

It was determined in the affirmative, { Yeas..... 31 / Nays..... 20

On motion,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Benton, Borland, Bradbury, Breese, Bright, Butler, Cameron, Clarke, Davis, of Mississippi, Dickinson, Dix, Dodge, of Iowa, Douglas, Felch, Fitzpatrick, Foote, Hale, Hamlin, Houston, Hunter, Johnson, of Georgia, Jones, King, Niles, Sturgeon, Turney, Walker, Westcott.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clayton, Corwin, Davis, of Massachusetts, Dayton, Fitzgerald, Greene, Johnson, of Louisiana, Mangum, Mason, Metcalfe, Miller, Pearce, Phelps, Spruance, Underwood, Upham.

So it was

Ordered, That the Secretary ask of the House of Representatives the return of the said resolution.

Mr. Johnson, of Louisiana, from the Committee on Pensions, reported a bill (S. 416) to regulate the pensions of officers, soldiers, seamen, and marines, who have been, or may hereafter be, disabled while in the service of the United States; which was read and passed to the second reading.

Mr. Mason, from the Committee of Claims, to whom was recommitted the bill (S. 272) for the relief of Manuel X. Harmony, reported it with an amendment.

Mr. Fitzpatrick, from the Committee of Claims, to whom was referred the bill (H. R. 357) for the relief of Isaac Shepard, reported it without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 520) to grant the right of way through the public lands in Indiana and Illinois, to the Ohio and Mississippi Railroad Company.

An amendment having been proposed by Mr. Benton,

Ordered, That the further consideration of the bill be postponed until to-morrow, and that the amendment be printed.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 168) to provide for the unpaid claims of the officers and soldiers of the Virginia State and continental line of the revolution; and,

On motion by Mr. Underwood,

Ordered, That the further consideration of the bill be postponed until to-morrow, and be the special order of the day.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: I am directed by the House of Representatives to return to the Senate, agreeably to their request, the resolution (S. R. 55) extending the time for receiving proposals for the printing of Congress.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Senate resumed, as in Committee of the Whole, the bill (S. 289) to reduce the rates of postage, and for other purposes.

And after debate,

On motion by Mr. Pearce,

Ordered, That the further consideration of the bill be postponed until to-morrow.

On motion by Mr. Cameron,

Ordered, That the vote on passing the resolution (S. R. 55) extending the time for receiving proposals for the printing, be reconsidered.

On motion by Mr. Cameron,

Ordered, That the vote on the engrossment of the said resolution be reconsidered.

The Senate proceeded to consider the said resolution; and having been amended,

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Borland, agreeably to notice, asked and obtained leave to bring in a bill (S. 417) for the relief of John Hutchingson; which was read the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 493) for the relief of Levi H. Corson, and for other purposes; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion by Mr. Bright,

Ordered, That when the Senate adjourn it be to Monday next.

On motion,

The Senate adjourned.

MONDAY, February 5, 1849.

The Vice President laid before the Senate a report of the Secre*tary of the Treasury*, made in compliance with a resolution of the

Senate, showing the construction given to the act of 1846 in respect to duties accruing and collected on importations, on which a bounty is paid by any country at the place of exportation; which was read, and ordered to be printed.

The Vice President laid before the Senate a communication from the Secretary of the Senate and Clerk of the House of Representatives, in relation to the execution of the joint resolution directing the manner of procuring the printing of the two Houses; which was read.

Ordered, That it lie on the table.

The Vice President presented a memorial of W. S. Coodey and John Drew, representatives of that portion of the Cherokee nation known as the "old settlers," praying that provision may be made for paying, out of the moneys appropriated for their benefit, all debts which, on examination, shall be found to be justly due by them; which was referred to the Committee on Indian Affairs.

Mr. Johnson, of Louisiana, presented a resolution passed by the Legislature of the State of Louisiana, in favor of the enactment of a law directing that the practice of the circuit and district courts of the United States shall conform, in all civil cases, to that of the district courts of that State; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Johnson, of Louisiana, presented a resolution passed by the Legislature of the State of Louisiana, in favor of an act to refund the money expended by that State in completing Raccourci cut-off, in the Mississippi river; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. Johnson, of Louisiana, presented a resolution passed by the Legislature of the State of Louisiana, in favor of the establishment of a foundry and armory at the town of Algiers, in that State; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. Hunter presented resolutions passed by the Legislature of the State of Virginia, declaring that Congress has no control, directly or indirectly, over the institution of slavery; that territory acquired by the arms of the United States is the joint and common property of the States of the Union; that the enactment of any law restraining the citizens of any State from emigrating to such territory with their property, of whatever sort or description, would be a violation of the constitution; and that the enactment of any law by Congress abolishing slavery or the slave trade in the District of Columbia, would be a direct attack upon the institutions of the southern States, to be resisted at every hazard.

Ordered, That they be printed.

Mr. Baldwin presented the petition of George G. Bishop and Peter U. Morgan, administrator of John Arnold, deceased, praying an extension of a patent for an improvement in the mode of manufacturing cloth; which was referred to the Committee on Patents and the Patent Office.

Mr. Dayton presented a petition of citizens of Princeton, New

Jersey, praying that the rates of postage may be reduced, and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Douglas presented a resolution passed by the Legislature of the State of Illinois, in favor of the erection of a marine hospital on Rock island, in that State; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. Rusk presented the memorial of Nathaniel Lewis, praying compensation for forage and subsistence furnished to a company of Texas rangers mustered into the service of the United States; which was referred to the Committee of Claims.

Mr. Dickinson presented a petition of citizens of West Turin, New York, praying the establishment of a mail route from Constableville to the store of S. C. Thompson, in that place; which was referred to the Committee on the Post Office and Post Roads.

Mr. Breese presented a petition of members of the General Assembly of Illinois, praying that the right of way through the public lands may be granted to a company about to be chartered by that State for the construction of a railroad from the eastern border of the State of Illinois to the Mississippi river, opposite St. Louis, Missouri; which was referred to the Committee on Public Lands.

Mr. Borland presented a memorial of the Legislature of the State of Arkansas, praying the establishment of a mail route from Rockroe, in that State, to Boonville, in Missouri, and a mail route from St. Louis, Missouri, to Little Rock, Arkansas; which was referred to the Committee on the Post Office and Post Roads, and ordered to be printed.

Mr. Borland presented a memorial of the Legislature of the State of Arkansas, praying that one-tenth portion of the public lands may be granted to the States in which they lie, for purposes of education and internal improvement; that the five per cent. fund accruing to that State may be paid in land instead of money; and that the price of the public lands may be reduced; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. Borland presented a resolution passed by the Legislature of the State of Arkansas, in favor of the continuance of the office of surveyor general in that State, until the business of that office shall have been finally closed; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. Dix presented a memorial of inventors and others, citizens of New York, praying such modifications of the patent laws as will secure to inventors the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Mangum submitted the following resolution for consideration:

Resolved, That the President be requested to have laid before the Senate, in executive or open session, in his discretion, any instructions given to Ambrose H. Sevier and Nathan Clifford, commissioned as ministers plenipotentiary on the part of the United States to the government of Mexico, or to either of said ministers, prior to the ratification by the government of Mexico, of the treaty of

peace between the United States and that republic; also, the correspondence and explanations, if any, which said ministers had with, or gave to, the republic of Mexico, or any ministers thereof, touching the effect or meaning of amendments made by the Senate of the United States to the original treaty, as concluded at Gaudalupe Hidalgo, on the 2d of February, 1848, whether such correspondence or explanations were before the ratification thereof by the Mexican government, or after such ratification, and before or contemporaneous with the exchange of ratifications, and particularly as respects amendments respecting the ninth, tenth, and twelfth articles; also, any protocol or other paper signed by said Sevier and Clifford, and any minister of the Mexican republic, if any such there be, explaining or affecting, or attempting to explain or affect the treaty as ratified by the Senate of the United States; and also, all communications had with the Mexican government, or any minister or ministers thereof, on the part of our ministers, as well as all communications between our ministers and the government of the United States, touching the effect of the amendments proposed by the Senate of the United States in the aforesaid original treaty.

Mr. Breese submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce be instructed to inquire into the expediency of establishing a marine hospital on Rock island, in the State of Illinois, and of appropriating the buildings thereon, and the lands of the United States there situate, for such purpose.

Mr. Rusk submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of an appropriation to be made by Congress for the purpose of enabling the President to make compensation for secret services rendered during the late war with Mexico.

Mr. Clayton, from the joint committee appointed on the subject of counting the votes for President and Vice President of the United States, and notifying the persons elected of their election, reported in part the following resolution:

Resolved, That the two Houses will assemble in the chamber of the House of Representatives on Wednesday, the fourteenth instant, at twelve o'clock, and the President of the Senate shall be the presiding officer; that one person be appointed a teller on the part of the Senate and two on the part of the House of Representatives, to make a list of the votes as they shall be declared; that the result shall be delivered to the President of the Senate, who shall annonnce the state of the vote and the persons elected to the two Houses assembled as aforesaid, which shall be deemed a declation of the persons elected President and Vice President of the United States, and, together with a list of votes, be entered on the Journals of the two Houses.

The Senate proceeded to consider the resolution by unanimous consent; and the resolution was agreed to.

On motion,

Ordered, That the teller on the part of the Senate be appointed by the Vice President; and

Mr. Clayton was appointed.

Mr. Clayton being excused, Mr. Davis, of Mississippi, was appointed in his stead.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government for the year ending the 30th of June, 1850, and for other purposes, reported it with amendments; which were ordered to be printed.

On motion by Mr. Borland,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the bill (S. 290) to revive and extend the provisions of an act entitled "An act to settle the title to certain tracts of land in the State of Arkansas," and that it be referred to the Committee on the Judiciary.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the bill (S. 43) for the relief of Jeannette C. Huntington, widow and sole executrix of William D. Cheever, deceased.

They have passed the following bills from the Senate, with amendments, in which they request the concurrence of the Senate:

S. 155. An act granting a pension to Bethiah Healy, widow of George Healy, deceased.

S. 251. An act for the relief of the personal representative of William A. Slacum, deceased.

They have passed bills with the following titles, in which they request the concurrence of the Senate:

H. R. 200. An act for the relief of the widow and heirs-at-law of Silas Duncan, late commandant of the United States navy.

H. R. 214. An act for the relief of Noah A. Phelps.

H. R. 235. An act for the relief of Matthews, Wood and Hall.

H. R. 589. An act for the relief of Thomas T. Gammage.

H. R. 607. An act for the relief of Jacob Boston.

H. R. 609. An act for the relief of Eve Boggs.

H. R. 610. An act for the relief of Hannah Kinney, widow of Amos Kinney, late of the State of New York.

H. R. 611. An act for the relief of Joseph Dana.

H. R. 613. An act for the relief of Martha Dameron, widow of Christopher Tompkins.

H. R. 614. An act for the relief of Susanna Prentiss.

H. R. 615. An act for the relief of Thomas R. Sanders.

H. R. 616. An act for the relief of Sylvanus Blodget.

H. R. 617. An act for the relief of Aaron Stafford.

H. R. 619. An act for the relief of Hector Perkins.

H. R. 620. An act for the relief of Peter Myers.

H. R. 621. An act for the relief of Captain Alexander McEwen.

H. R. 622. An act for the relief of Elizabeth S. Cobbs.
H. R. 623. An act for the relief of Mary Ann Pollard.
H. R. 624. An act for the relief of Camfield Averill.
H. R. 629. An act for the relief of John Gawney.
H. R. 645. An act for the relief of Horatio Fitch.
H. R. 646. An act for the relief of William Lynch.
H. R. 648. An act for the relief of Rebecca Freeman.
H. R. 656. An act for the relief of William Kingsbury.
H. R. 677. An act for the relief of Sidney Flower, of Louisiana, and for other purposes.
H. R. 678. An act for the relief of Amelia Cuvillion, of Louisiana.
H. R. 679. An act for the relief of John McIntosh.
H. R. 680. An act for the relief of Levi M. Roberts.
H. R. 704. An act for the relief of Samuel Perry.
H. R. 709. An act granting the right of pre-emption to Joshua Holden.
H. R. 712. An act for the relief of James Frame.
H. R. 725. An act for the relief of B. O. Payne, of Albany, New York.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the bill (H. R. 197) for the relief of the legal representatives of Antonio Pacheco, reported it without amendment, and submitted a report on the subject; which was ordered to be printed.

Mr. Dix, from the Committee on Military Affairs, to whom was referred the memorial of the heirs of Trueman Cross, submitted a report, accompanied by a bill (S. 418) for their relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Niles, from the Committee on the Post Office and Post Roads, to whom was referred the bill (S. 399) to define the period of disability imposed upon certain bidders for mail contracts, reported it without amendment.

The Senate proceeded to consider the said bill (S. 399) by unanimous consent as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Rusk reported from the committee that they had presented to the President of the United States, the 2d instant, the following acts:

S. 359. An act for the relief of William Plummer, executor of Starkey Armistead, deceased.

S. 406. An act for the relief of Timothy Cavan.

A message from the President of the United States, by Mr. Walker, his *secretary:*

Mr. President: The President of the United States approved and signed, the 2d instant, the following acts:

S 359. An act for the relief of William Plummer, executor of Starkey Armistead, deceased.

S. 406. An act for the relief of Timothy Cavan.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the bill (S. 289) to reduce the rates of postage, and for other purposes;

And, after debate,

On motion by Mr. Hale,

The Senate adjourned.

TUESDAY, FEBRUARY 6, 1849.

The Vice President laid before the Senate a report of the Secretary of the Navy, made agreeably to law, showing the punishments in the naval service during the years 1846, 1847; which was read, referred to the Committee on Naval Affairs, and ordered to be printed.

The Vice President laid before the Senate a report of the Secretary of War, made agreeably to law, exhibiting returns of the militia of the United States, with their arms, accoutrements, and ammunition; which was read, and ordered to be printed.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following acts:

H. R. 92. An act for the relief of William Fuller and Orlando Saltmarsh.

H. R. 261. An act for the relief of William Fuller and Charles Savage.

S. 43. An act for the relief of Jeanette C. Huntington, widow and sole executrix of William D. Cheever, deceased.

Mr. Dix presented a petition of citizens of New Hartford, New York, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Turney submitted documents relating to the claim of William P. A. Hail to compensation for medical services to a regiment of Tennessee volunteers during the late Mexican war; which were referred to the Committee on Military Affairs.

Mr. Felch presented a petition of citizens of Ann Arbor, Michigan, praying that the rates of postage may be reduced and the franking privilege abolished; and a memorial of citizens of Sterling, Michigan, praying a reduction of the postage on letters and newspapers.

Ordered, That they lie on the table.

Mr. Felch presented a petition of head chiefs of the Chippewa tribe of Indians, praying that certain lands may be receded to them for purposes of cultivation; that they may be permitted to become citizens of the United States; and that the expenses of their jour-

ney to the city of Washington may be paid by the United States; which was referred to the Committee on Indian Affairs.

Mr. Walker presented a petition of citizens of Lapoint county, Michigan, praying the establishment of a mail route from the county seat of said county to the falls of the St Croix; which was referred to the Committee on the Post Office and Post Roads

Mr. Hunter presented the petition of Charles Taylor, a soldier in the last war with Great Britain, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Hunter presented the petition of Alexander Y. P. Garnett, an assistant surgeon in the navy, praying compensation for the performance of services appertaining to an officer of higher grade; which was referred to the Committee of Claims.

Mr. Corwin presented a petition of citizens of Salem township, Ohio, praying the establishment of a mail route from Liberty Hall post office to Morrow, in that State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Corwin presented three petitions of citizens of Ohio, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That they lie on the table.

Mr. Hale presented a petition of citizens of Niagara county, New York, praying that members of Congress may be paid only for their actual attendance.

Ordered, That it lie on the table.

Mr. Bright presented a resolution passed by the Legislature of the State of Indiana, in favor of the transmission, free of postage, of all documents printed by authority of the States, and newspapers ordered by the State Legislatures for the use of their members.

Ordered, That it lie on the table.

Mr. Bell presented a memorial of William A. Bradley and others, praying the aid of the government in the construction of a road and the establishment of communications by mail between the city of St. Louis and the Pacific ocean; which was referred to the Committee on the Post Office and Post Roads.

Mr. Butler presented resolutions passed by the Legislature of the State of South Carolina, declaring the readiness of that State to co-operate with her sister States in resisting the application of the principles of the Wilmot proviso to the territory recently acquired by the United States from the republic of Mexico; which were read.

Ordered, That they be printed.

Mr. Davis, of Mississippi, presented the petition of Alexander Montgomery, captain and assistant quartermaster in the army, praying to be allowed a commission on disbursements made during the operations of the army in Mexico; which was referred to the Committee on Military Affairs.

Mr. Yulee presented the petition of Allen G. Johnson, a volunteer officer in the Seminole war, praying the payment of a balance due on the settlement of his accounts; which was referred to the Committee on Military Affairs.

Mr. Rusk presented the memorial of Christian Sharps, praying

that an improvement invented by him in the construction of the rifle, may be adopted in the military service, and that he may be authorized to furnish the same for the use of the United States; which was referred to the Committee on Military Affairs.

Mr. Dodge, of Iowa, presented a memorial of the General Assembly of that State, praying that an appropriation of land may be made for improving the Skunk river, in that State; which was referred to the Committee on Public Lands.

Mr. Dodge, of Iowa, presented a resolution passed by the Legislature of that State, in favor of an appropriation for improving the Des Moines and Rock river rapids, in the Mississippi river; which was referred to the Committee on Commerce.

Mr. Dodge, of Iowa, presented a resolution passed by the Legislature of that State, in favor of the establishment of a mail route from Bloomington, Iowa, to Prairie du Chien, Wisconsin; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dodge, of Iowa, presented a resolution passed by the Legislature of that State, in favor of the establishment of a mail route from Tipton, in Cedar county, to the county seat of Benton county, in the State of Iowa; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dodge, of Iowa, presented a resolution passed by the Legislature of that State, in favor of the establishment of a mail route from Ottumwa, in Wappelo county, to Chariton point, in Lucas county, in said State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dodge, of Iowa, presented a resolution passed by the Legislature of that State, in favor of the establishment of a mail route from New London to Iowa city, in said State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Foote presented the petition of P. A. Hargous, setting forth the advantages of a communication with the Pacific by means of a railroad across the isthmus of Tehuantepec, for the construction of which he has the authority of the Mexican government, and praying that Congress will not finally act on the subject until an opportunity shall have been afforded for establishing the facts stated in his petition.

Ordered, That it be printed.

On motion by Mr. Davis, of Mississippi,

Ordered, That the petition of Robert M. Martin, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Sebastian presented the credentials of the honorable Solon Borland, chosen a Senator by the General Assembly of the State of Arkansas, in pursuance of the constitution of the United States; which were read.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 697) entitled "An act making appropriations for the payment of revolutionary and other pensions of the United States, for the year ending the 30th of June, 1850;" reported *it without amendment*.

Mr. Underwood, from the Committee of Claims, to whom was referred the petition of John A. Rodgers, submitted a report accompanied by a bill (S. 419) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (S. 402) reducing the price of the public lands lying within the Miami reservation, in the State of Indiana, reported it without amendment.

Mr. Miller, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 742) to incorporate the Oak Hill cemetery, in the District of Columbia, reported it without amendment.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 696) making appropriations for the support of the military academy for the year ending the 30th of June, 1850, reported it without amendment.

Mr. Bradbury, from the Committee of Claims, to whom was referred the bill (H. R. 46) for the relief of James McAvoy, reported it without amendment.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the bill (S. 393) to repeal a portion of section 3 of act of July 19, 1848, in relation to the medical staff of the army of the United States, and for other purposes, reported it with amendments.

The Senate proceeded to consider the said bill as in Committee of the Whole, and having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That this bill be engrossed and read a third time.

The said bill was read a third time, and the title was amended.

Resolved, That this bill pass, and that the title thereof be, "An act to provide for the increase of the medical staff, and for additional chaplains of the army of the United States."

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Agreeably to notice, Mr. Walker asked and obtained leave to bring in a bill (S. 420) to authorize a change of venue in certain cases; which was read the first and second times by unanimous consent, and referred to the Committee on the Judiciary.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Mangum, requesting information from the President of the United States, in relation to the treaty with Mexico, of 2d February, 1848; and the resolution was agreed to.

The Vice President laid before the Senate a report of the Postmaster General, made in compliance with a resolution of the Senate in relation to the postal arrangements with Bremen, the reduction of postage on letters to Germany from the United States, and the services performed by the Bremen post office; which was read, and ordered to be printed.

The thirty-two bills yesterday received from the House of Rep-

resentatives for concurrence, were read the first and second times by unanimous consent:

Ordered, That the bills numbered 214, 235, 589, 704 be referred to the Committee of Claims; that the bills numbered 200 and 607 be referred to the Committee on Naval Affairs; that the bill numbered 650 be referred to the Committee on Public Lands; that the bills numbered 677, 678, and 709, be referred to the Committee on Private Land Claims; and that bills numbered 609, 610, 611, 613, 614, 615, 616, 617, 619, 620, 621, 622, 623, 624, 629, 645, 646, 648, 679, 680, 712, 725, be referred to the Committee on Pensions.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 352) to make compensation for the transportation of troops and supplies for a limited time, over the Isthmus of Panama; and,

After debate and the consideration of executive business,

The Senate adjourned.

WEDNESDAY, February 7, 1849.

Mr. Foote presented the credentials of the honorable Isaac P. Walker, chosen a Senator by the Legislature of the State of Wisconsin, for the term of six years from the fourth day of March, 1849; which were read.

Mr. Hunter presented the petition of the Tredegar Iron Company, of Virginia, praying compensation for certain cannon furnished for the use of the navy; which was referred to the Committee on Naval Affairs.

Mr. Hunter presented the petition of John Mason, praying compensation for certain cannon manufactured by him for the naval service; which was referred to the Committee on Naval Affairs.

Mr. Underwood presented the petition of Alexander McKee and Johnson Price, praying that the money paid by them for certain lands sold for the benefit of the United States, without title, may be refunded; which was referred to the Committee of Claims.

Mr. Bright presented the petition of John Spencer, late receiver of public moneys at Fort Wayne, Indiana, praying indemnity for losses sustained in consequence of a suit instituted, and judgment obtained against him by the government as a defaulter, notwithstanding a subsequent settlement exhibited a balance in his favor; which was referred to the Committee on Public Lands.

Mr. Jones presented a resolution passed by the Legislature of the State of Iowa, in favor of a grant of land to aid in the construction of buildings for a branch of the State university at Fairfield, in that State; which was referred to the Committee on Public Lands.

Mr. Jones presented a resolution passed by the Legislature of the State of Iowa, in favor of an appropriation of public land or money for improving the navigation of the Maquoketa river; which was referred to the Committee on Public Lands.

Mr. Dickinson presented the petition of James Crandal Lane, civil engineer, praying that the practice of detailing officers of the *corps of topographical* engineers for the performance of duties not

connected with military science, may be discontinued; which was referred to the Committee on Roads and Canals.

Mr. Downs submitted additional documents relating to the claim of John Millikin and others; which were referred to the Committee on Public Lands.

Mr. Benton submitted the following resolution for consideration:

Resolved, That the 49th rule, which provides for choosing the Secretary of the Senate, sergeant-at-arms, and doorkeeper, on the second Monday of the first session of every Congress, be repealed.

Mr. Walker submitted the following resolution for consideration:

Resolved, That the public lands of the United States ought to be ceded to the States, respectively, in which such lands are situated, under the express restiction, however, that such lands shall be disposed of in limited quantities by the respective States to actual occupants only, and such as are not possessed of other land, and for cost of transfer merely.

Mr. Downs submitted the following motion for consideration:

Ordered, That after the present week, the hour of meeting of the Senate shall be 11 o'clock, a. m.

Mr. Mangum presented the petition of A. Rencher, late chargé d'affaires of the United States in Portugal, praying remuneration for loss of time and expenses incurred by his detention abroad, in consequence of the failure of the government to relieve him at the time he solicited his recall; which was referred to the Committee on Foreign Relations.

Mr. Downs, from the Committee on the Judiciary, to whom was referred the memorial of judges and members of the bar of New Orleans, reported a bill (S. 421) to amend an act entitled "An act to regulate the mode of practice in the courts of the United States for the district of Louisiana," approved 26th of May, 1824; which was read, and passed to the second reading.

Mr. Mason, from the Committee on the Library, to whom the subject was referred, reported a joint resolution (S. 57) authorizing the Secretary of the Treasury to purchase certain copies of a work on the Treasury Department, compiled by Robert Mayo; which was read, and passed to the second reading.

Mr. Mason also submitted a report on the subject; which was ordered to be printed.

Mr. Johnson, of Louisiana, to whom the subject was referred, reported the following resolution; which was read.

Resolved, That such of the acts of Congress relative to pensions and the executive regulations touching the subject as have been deemed necesary by the Committee on Pensions to be published, as well as the laws relating to bounty land, containing about ninety-four pages, be printed under the direction of the Commissioner of Pensions, and that five thousand additional copies be printed for the use of the Senate, and one thousand for the use of the Commissioner of Pensions.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom were referred the petitions of Mary Hassell, Charity Chat-

field, and Samuel D. Davis, submitted an adverse report in each case; which reports were ordered to be printed.

Mr. Dix, from the Committee on Commerce, to whom was recommitted the bill (H. R. 170) making appropriations for the preservation and repairs of the public works upon certain harbors and rivers, and for the survey of certain harbors, reported it with amendments, and submitted a report on the subject; which was ordered to be printed.

Mr. Dix also reported from the same committee the following bills:

S. 422. A bill making an appropriation to open a communication between Albemarle sound and the Atlantic ocean and for the improvement of the harbor at or near Old Roanoke inlet, in the State of North Carolina.

S. 423. A bill making an appropriation of money to improve the St. Clair flats, in the State of Michigan.

S. 424. A bill making an appropriation of money for the improvement of the harbor at the mouth of Grand river, in the State of Michigan.

S. 425. A bill making an appropriation of money for the improvement of the harbor at the mouth of the Kalamazoo river, in the State of Michigan.

S. 426. A bill making an appropriation of money for the improvement of the harbor at Newark, in the State of New Jersey.

S. 427. A bill making an appropriation of money for the removal of obstructions in Great Egg Harbor river, in the State of New Jersey.

S. 428. A bill making an appropriation of money for the improvement of the harbor at Block island, in the State of Rhode Island.

S. 429. A bill making an appropriation of money for the improvement of the harbor at Providence, in the State of Rhode Island.

S. 430. A bill making an appropriation of money for the improvement of the harbor at Havre de Grace, in the State of Maryland.

S. 431. A bill making an appropriation of money for the improvement of Hog island channel at Charleston, in the State of South Carolina.

S. 432. A bill making an appropriation of money for surveying and examining the ports and harbors of the State of Texas.

S. 433. A bill making an appropriation of money for the improvement of Little Sodus bay, on Lake Ontario.

S. 434. A bill making an appropriation of money for the improvement of Eighteen-mile creek, on Lake Ontario.

S. 435. A bill making an appropriation of money for the improvement of the navigation of James river, in the State of Virginia.

S. 436. A bill making an appropriation of money for a survey *and examination* of Alleghany river.

S. 437. A bill making an appropriation for a survey and examination of the Sabine river.

S. 438. A bill making an appropriation of money for a survey and examination of the harbor at the mouth of Black river, on Lake Michigan.

S. 439. A bill making an appropriation of money for a survey and examination of the harbor at New Buffalo, on Lake Michigan.

S. 440. A bill making an appropriation of money for a survey and examination of Little Egg harbor, in the State of New Jersey.

S. 441. A bill making an appropriation of money for a survey and examination of the Perriwig shoals, in the Delaware river.

S. 442. A bill making an appropriation of money for the improvement of the harbor at Little Fort, on Lake Michigan.

S. 443. A bill making an appropriation of money for the improvement of the harbor at Newcastle, in the State of Delaware.

S. 444. A bill making an appropriation of money for the improvement of Great Wood Hole harbor, in the State of Massachusetts.

S. 445. A bill making an appropriation of money for the construction of an ice harbor at Delaware city, in the State of Delaware.

S. 446. A bill making an appropriation of money for the construction of a breakwater at Nantucket, in the State of Massachusetts.

S. 447. A bill making an appropriation of money for the improvement of Ocracoke inlet, in the State of North Carolina.

S. 448. A bill making an appropriation of money for the improvement of the harbor at Sheboygan, on Lake Michigan.

S. 449. A bill making an appropriation of money for the improvement of the harbor at the mouth of Big Sandy Creek, on Lake Ontario.

The said bills were read, and passed to the second reading.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom the following bills were referred:

H. R. 230. An act to increase the pension of Henry Click, of Cocke county, Tennessee;

H. R. 447. An act for the relief of Polly Aldrich;

H. R. 450. An act for the relief of Robert Whittet;

H. R. 550. An act for the relief of Francis Tribon;

H. R. 557. An act for the relief of Francis Downs;

reported the same without amendment.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 497) for the relief of E. B. Cogswell, reported the same without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 497) for the relief of E. B. Cogswell; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

On motion by Mr. Butler,

Ordered, That the Committee on the Judiciary be discharged from the further *consideration* of the petition of citizens of Penn-

sylvania, on the subject of the mileage of members of Congress, presented the 1st instant.

Mr. Baldwin, from the Committee on Pensions, to whom was referred the petition of William Miller, submitted a report accompanied by a bill (S. 450) for his relief.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 699) making appropriations for the naval service for the year ending the 30th of June, 1850; in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The bill (H. R. 699) making appropriations for the naval service for the year ending the 30th of June, 1850, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Finance.

Agreeably to notice, Mr. Benton asked and obtained leave to bring in a bill (S. 451) to provide for the location and construction of a central national road from the Pacific ocean to the Mississippi river, with a branch of said road to the Columbia river; which was read the first and second times by unanimous consent, referred to the Committee on Military Affairs, and ordered to be printed.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 696. An act making appropriations for the support of the military academy for the year ending the 30th of June, 1850.

H. R. 697. An act making appropriations for the payment of the revolutionary and other pensions of the United States for the year ending the 30th of June, 1850; and, no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate resumed, as in Committee of the Whole, the consideration of the following bills:

S. 131. A bill for the relief of the heirs and legal representatives of Colonel William Grayson.

H. R. 24. An act for the relief of George Newton.

H. R. 71. An act for the relief of Jesse Young.

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 20) concerning testimony; and,

Ordered, That they be referred to the Committee on the Judiciary.

The Senate proceeded to consider the amendments of the House of Representatives to the following bills:

S. 155. An act granting a pension to Bethiah Healy, widow of George Healy, deceased;

S. 251. An act for the relief of the personal representative of William A. Slacum, deceased; and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Vice President signed the three enrolled bills yesterday reported to have been examined; and they were delivered to the committee, to be presented to the President of the United States.

On motion by Mr. Clarke, that the vote concurring in the amendment of the House of Representatives to the bill (S. 251) for the relief of the personal representative of William A. Slacum, deceased, be reconsidered;

Ordered, That the further consideration thereof be postponed until to-morrow.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, FEBRUARY 8, 1849.

The Vice President laid before the Senate a report of the Secretary of the Navy, made in compliance with a resolution of the Senate, showing the amount of expenditures for the freight of provisions, clothing, small stores, and other supplies for the squadron on the Pacific; also, for transporting seamen for one year; which was read, and referred to the Committee on Naval Affairs.

The Vice President laid before the Senate a report of the Secretary of the Treasury, made in compliance with a resolution of the Senate, showing the expenditures and results of the United States coast survey.

Ordered, That it be referred to the Committee on Finance, and printed.

Mr. Dix presented a memorial of certain citizens of New York, praying such modifications of the patent laws as will secure to patentees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Upham presented a petition of citizens of Washington county, Vermont, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Butler presented a petition of merchants of Charleston, South Carolina, praying that certain restrictions imposed on Spanish vessels trading between the United States and Spain may be removed; which was referred to the Committee on

Mr. Westcott submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy do communicate to the Senate the despatch of the 5th of February, 1847, of Commodore

Robert F. Stockton, commanding the forces of the United States in California, and also such other despatches of Commodore Stockton relating to the naval and military operations in that country as have not heretofore been communicated to Congress and published.

Mr. Westcott submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy communicate to the Senate the report to his department recently made by Lieutenant William F. Lynch, of the United States navy, of the examination by himself and other officers of the United States navy, of the Dead sea, or such portions of said report as said secretary may deem proper to be made public.

Mr. Phelps submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Senate be directed to cause the list of claims, prepared by him under the resolution of the Senate of the 9th April, 1840, and brought down to the close of the 26th Congress by resolution of the 27th February, 1841, to be reprinted for the use of the Senate; and that he cause the list to be brought down to the present session, incorporating such continuation in the list thus to be reprinted.

Mr. Webster submitted the following resolution for consideration:

Resolved, That the Committee on Commerce inquire into the expediency of providing by law for the taking of proper security, on the arrival of alien passengers in the United States who are diseased or impotent or paupers, or likely to become paupers, that such alien passengers shall not become a public charge, for support and maintenance, either in the ports or places at which they may arrive, or in any other part of the United States to which they may proceed.

Mr. Metcalfe submitted the following resolution for consideration:

Resolved, That the President be requested to communicate to the Senate the proceedings under the act of Congress of the last session to compensate R. M. Johnson for the erection of certain buildings for the use of the Choctaw academy; also, the evidence of the cost of said buildings.

Mr. Dix, from the Committee on Commerce, to whom was referred the bill (S. 299) to establish a port of entry at the Brazos de Santiago, in the State of Texas, reported it with an amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be, "An act to establish the collection district of Brazos de Santiago, in the State of Texas."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, reported a resolution (S. R. 58) to transfer transport vessels from the War to the Navy Department; which was read, and passed to the second reading.

Mr. Rusk, from the Committee on Military Affairs, to whom was referred the petition of James Foy, submitted an adverse report; which was ordered to be printed.

Mr. Bell, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 510) for the relief of Lowry Williams, reported it without amendment, and that it ought not to pass.

Mr. Bell, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 541) for the relief of Robert B. Mitchell, reported it without amendment.

Mr. Bell, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 498) for the relief of Jesse Sutton, reported it without amendment.

Mr. Atherton, from the Committee on Finance, to whom were referred the following bills:

H. R. 695. Act making appropriations for the support of the army for the year ending the 30th of June, 1850.

H. R. 698. Act making appropriations for the payment of the navy pensions for the year ending the 30th of June, 1850, reported the same without amendment.

Mr. Breese, from the Committee on Commerce, to whom the subject was referred, reported a bill (S. 452) giving the consent of Congress to the State of Illinois to improve the navigation of the Des Moines rapids of the Mississippi river, in the State of Illinois; which was read and passed to the second reading.

Mr. Johnson, of Georgia, agreeably to notice, asked and obtained leave to bring in a bill (S. 453) to authorize the payment to the State of Georgia of the unexpended balance of the sum of $175,000, which was appropriated to settle the claims of said State for the service of her militia, by the act of August 11, 1842, entitled "An act to provide for the settlement of the claims of the State of Georgia for the services of her militia; which was read the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

Mr. Berrien, agreeably to notice, asked and obtained leave to bring in a bill (S. 454) to make further provision for the widows and orphans of officers, non-commissioned officers, musicians, and privates, whether of the regular army or of volunteers, who have died, or may die, of diseases contracted while in the service of the United States, and in the line of their duty, in the prosecution of the war with Mexico; which was read the first and second times by unanimous consent, and referred to the Committee on Military Affairs.

The Senate proceeded to consider the motion made by Mr. Hamlin, the 2d instant, to reconsider the vote on passing to a third reading the bill (H. R. 85) for the relief of William De Buys, late postmaster at New Orleans; and,

On the question *to agree to* the motion,

It was determined in the affirmative, { Yeas ..... 30 / Nays 16

On motion by Mr. Bradbury,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Badger, Baldwin, Bell, Benton, Berrien, Borland, Breese, Clarke, Davis, of Mississippi, Dayton, Dodge, of Iowa, Downs, Foote, Greene, Hannegan, Hunter, Johnson, of Louisiana, Jones, Mangum, Mason, Miller, Phelps, Rusk, Sebastian, Sturgeon, Upham, Walker, Westcott.

Those who voted in the negative are,

Messrs. Atherton, Bradbury, Bright, Corwin, Dickinson, Dix, Felch, Hale, Hamlin, King, Metcalf, Niles, Spruance, Turney, Underwood, Yulee.

So the vote was reconsidered.

The Senate having resumed the consideration of the said bill,

On motion, by Mr. Hale, that it lie on the table,

It was determined in the negative, { Yeas..... 16 / Nays 28

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baldwin, Bradbury, Bright, Corwin, Dickinson, Dix, Felch, Hale, Hamlin, King, Mason, Metcalf, Niles, Spruance, Turney, Underwood.

Those who voted in the negative are,

Messrs. Atchison, Badger, Bell, Berrien, Borland, Breese, Clarke, Clayton, Davis, of Mississippi, Dayton, Dodge, of Iowa, Douglas, Downs, Fitzpatrick, Hannegan, Houston, Hunter, Johnson, of Louisiana, Jones, Mangum, Miller, Phelps, Rusk, Sturgeon, Walker, Webster, Westcott, Yulee.

No amendment being made,

On the question, "Shall this bill be read a third time?"

It was determined in the affirmative, { Yeas ..... 26 / Nays 19

On motion,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Bell, Berrien, Borland, Butler, Clarke, Clayton, Davis, of Mississippi, Dodge, of Iowa, Douglas, Downs, Foote, Greene, Hannegan, Houston, Johnson, of Louisiana, Jones, Mangum, Miller, Phelps, Rusk, Sturgeon, Walker, Webster, Westcott.

Those who voted in the negative are,

Messrs. Allen, Baldwin, Bradbury, Bright, Corwin, Dickinson, Dix, Felch, Fitzgerald, Fitzpatrick, Hale, Hamlin, King, Metcalfe, Niles, Spruance, Turney, Underwood, Yulee.

So it was

Ordered, That this bill pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the motion made yesterday by Mr. Clarke, to reconsider the vote concurring in the amendment of the House of Representatives, to the bill (S. 251) for the relief of the personal representative of William A. Slacum, deceased; and the motion to reconsider was agreed to.

The Senate proceeded to consider the amendment of the House of Representatives to the said bill; and

Resolved, That they disagree thereto.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 32) for the relief of David Myerlee; and having been amended it was reported to the Senate.

On the question to concur in the amendment made as in Committee of the Whole, viz:

Section 1, line 5, strike out "twenty," and insert "ten."

It was determined in the affirmative, { Yeas ..... 27 / Nays 23

On motion by Mr. Bradbury,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Bell, Benton, Borland, Bradbury, Breese, Calhoun, Corwin, Davis, of Mississippi, Dix, Dodge, of Iowa, Downs, Felch, Fitzgerald, Hamlin, Hannegan, Johnson, of Georgia, Jones, Metcalfe, Sebastian, Spruance, Sturgeon, Turney, Underwood, Upham.

Those who voted in the negative are,

Messrs. Badger, Berrien, Bright, Butler, Clarke, Dayton, Dickinson, Douglas, Foote, Hale, Houston, Hunter, Johnson, of Louisiana, King, Mangum, Miller, Niles, Phelps, Rusk, Walker, Webster, Westcott, Yulee.

So the amendment was concurred in.

No further amendment being made,

On the question, "Shall the amendment be engrossed and the bill read a third time?"

It was determined in the affirmative, { Yeas ..... 24 / Nays 24

On motion by Mr. Underwood,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Bright, Butler, Clarke, Dayton, Dickinson, Douglas, Foote, Hale, Houston, Johnson, of Louisiana; King, Mangum, Miller, Niles, Phelps, Rusk, Walker, Webster, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Benton, Borland, Bradbury, Calhoun, Corwin, Dix, Dodge, of Iowa, Downs, Felch, Fitzgerald, Hamlin, Hannegan, Hunter, Johnson, of Georgia, Jones, Metcalfe, Spruance, Sturgeon, Turney, Underwood, Upham.

The Senate being equally divided,

The Vice President decided the question in the affirmative.

So it was

Ordered, That the amendment be engrossed, and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

On motion,

The Senate adjourned.

FRIDAY, February 9, 1849.

Mr. Jones presented the credentials of the honorable Augustus C. Dodge, chosen a Senator by the General Assembly of the State of Iowa, in pursuance of the constitution of the United States; which were read.

Mr. Benton presented the credentials of the honorable David R. Atchison, chosen a Senator by the General Assembly of the State of Missouri, in pursuance of the constitution of the United States; which were read.

Mr. Dickinson presented the petition of citizens of Troy, New York, praying that a charter of incorporation may be granted to Hartwell Carver and his associates, for the purpose of constructing a railroad to Oregon; which was referred to the Committee on Roads and Canals.

Mr. Atchison presented a memorial of citizens of the United States, living in the valley of the Mississippi, praying the establishment of a military post in California, near the gold region; which was referred to the Committee on Military Affairs.

Mr. Baldwin presented a petition of citizens of Derby, Connecticut, praying that such alterations may be made in the patent laws as will secure to patentees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Hale presented a petition signed by the mayor of the city of Rochester, New York, praying that corporeal punishment in the military and naval service be abolished; also, a petition signed as aforesaid, praying that the introduction of intoxicating liquors on board of the United States vessels may be prohibited by law; which were referred to the Committee on Naval Affairs.

Mr. Hale presented a petition signed by John A. Granger, in behalf of the village of Canandaigua, New York, praying that the use of intoxicating liquors, except for medical purposes, on board of the United States vessels may be prohibited by law, and a petition signed as aforesaid, praying that corporeal punishment in the military and naval service may be abolished; which were referred to the Committee on Naval Affairs.

Mr. Hale presented the petition of the common council of Buffalo, New York; the proceedings of a meeting of citizens of Troy,

New York, and the proceedings of a meeting of citizens of Syracuse, New York, in favor of abolishing the spirit ration in the navy, and corporeal punishment in the military and naval service; which were referred to the Committee on Naval Affairs.

Mr. Hale presented the petition of T. A. Johnson, a justice of the supreme court of the State of New York, praying that the spirit ration in the navy may be abolished, and a petition from the same, praying that corporeal punishment in the military and naval service may be prohibited by law; which were referred to the Committee on Naval Affairs.

Mr. Hale presented sixteen petitions of citizens of Buffalo, New York, three petitions of citizens of Rochester, New York, and a petition of citizens of Utica, New York, praying that the spirit ration in the navy may be abolished; also, sixteen petitions of citizens of Buffalo, New York; two petitions of citizens of Troy, New York, and seven petitions of citizens of Rochester, New York, praying that corporeal punishment in the military and naval service may be prohibited by law; which were referred to the Committee on Naval Affairs.

Mr. Sturgeon presented a petition of citizens of Clarion county, Pennsylvania, praying an increase of the duties on foreign manufactures; which was referred to the Committee on Finance.

Mr. Sturgeon presented resolutions passed by the Legislature of the State of Pennsylvania, in favor of providing by law for the permanent settlement, in the northwestern territory, of the various Indian tribes inhabiting the United States.

Ordered, That they lie on the table and be printed.

Mr. Borland presented the petition of O. B. Hill, late receiver of public moneys at New Orleans, praying to be allowed a charge for office rent, in the settlement of his account; which was referred to the Committee on Public Lands.

On motion by Mr. Bright,

Ordered, That the petition of the heirs of Robert Libbey, on the files of the Senate, be referred to the Committee on Pensions.

Mr. Badger presented a resolution, passed by the Legislature of the State of North Carolina, in favor of the adoption of some plan by the government for securing permanent homes to the various Indian tribes along the western frontier of the United States; which was referred to the Committee on Indian Affairs.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills of the Senate of the following titles:

S. 163. An act to relinquish the reversionary interest of the United States in a certain Indian reservation in the State of Alabama.

S. 360. An act to authorize the Secretary of War to make reparation for the killing of a Caddo boy by volunteer troops in Texas.

They have passed the bill (S. 413) from the Senate declaratory of the act for the admission of the State of Iowa into the Union with an amendment, in which they request the concurrence of the Senate.

They have passed bills and joint resolutions of the following titles:

H. R. 15. An act for the settlement of the claims of New Hampshire against the United States;

H. R. 759. An act for the relief of Charles McLane, of Missouri;

H. R. 49. Resolution authorizing the Secretary of State to increase the number of copies of the laws of Congress annually distributed to the several States and Territories;

H. R. 50. Resolution for the relief of John B. Nevitt, of Adams county, Mississippi;

H. R. 51. Resolution for the relief of pursers in the navy as to expenditures made in pursuance of orders during the war with Mexico; in which they request the concurrence of the Senate.

They concur in the resolution, passed by the Senate, respecting the mode of counting the votes for President and Vice President of the United States, and have appointed Mr. Barrow, of Tennessee, and Mr. McClelland, of Michigan, tellers on the part of the House of Representatives.

They concur in the amendment of the Senate to the bill (H. R. 310) for the relief of Sarah D. Caldwell, wife of James H. Brigham; also, in the amendment of the Senate to the bill (H. R. 190) for the relief of James P. Sexton.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following acts:

S. 155. An act granting a pension to Bethiah Healy, widow of George Healy, deceased.

H. R. 85. An act for the relief of William De Buys, late postmaster at New Orleans.

H. R. 190. An act for the relief of James P. Sexton and Joshua Holden.

H. R. 310. An act for the relief of Sarah D. Caldwell, wife of James H. Brigham.

H. R. 493. An act for the relief of Levi H. Corson, and for other purposes.

H. R. 696. An act making appropriations for the support of the military academy for the year ending the 30th June, 1850.

H. R. 697. An act making appropriations for the payment of revolutionary and other pensions of the United States for the year ending the 30th June, 1850.

On motion by Mr. Atchison,

Ordered, That the Committee on Indian Affairs be discharged from the further consideration of the bill (S. 453) to authorize the payment to the State of Georgia of the unexpended balance of the sum of one hundred and seventy-five thousand dollars, which was appropriated to settle the claims of said State for the services of her militia by the act of August 11, 1842, entitled "An act to provide for the settlement of the State of Georgia for the services of her militia," and that it be referred to the Committee on Military Affairs.

Mr. Breese, from the Committee on Public Lands, to whom was *referred the bill* (S. 408) to authorize the laying off a town at Tra-

der's Point, on the Missouri river, in the State of Iowa, and for other purposes, reported it without amendment, and submitted a document on the subject; which was ordered to be printed.

Mr. Upham, from the Committee on Revolutionary Claims, to whom was referred the memorial of the representatives of Benjamin Harrison, submitted an adverse report; which was ordered to be printed.

Mr. Upham, from the Committee on Revolutionary Claims, to whom was referred the bill (H. R. 308) for the relief of Charles A. Barnitz, husband of Margaret Barnitz, the only surviving heir of Lieutenant Colonel David Grier, of the army of the revolution, reported it without amendment, and submitted an adverse report on the subject; which was ordered to be printed.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (S. 372) to grant a certain quantity of land to the State of Iowa for the purpose of aiding said State to construct a railroad from Dubuque to Keokuk, reported it with amendments.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom the subject was referred, reported a bill (S. 455) to provide for the payment of horses and other property lost or destroyed in the military service of the United States; which was read, and passed to the second reading.

Mr. Davis, from the Committee on Military Affairs, to whom was referred the bill (S. 454) to make further provision for the widows and orphans of officers, musicians, and privates, whether of the regular army or of volunteers, who have died, or may die, of diseases contracted while in the service of the United States, and in the line of their duty, in the prosecution of the war with Mexico, reported it without amendment.

Mr. Borland, from the Committee on Military Affairs, to whom was referred the petition of officers of the Tampico mounted rangers, submitted a report, accompanied by a bill (S. 456) for the relief of Lewis Morris and others.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Westcott, from the Committee on Patents and the Patent Office, to whom was referred the memorial of John B. Emerson, submitted a report, accompanied by the following resolution:

Resolved, That the further consideration of the petition of John B. Emerson be postponed till next session of Congress, and that the Secretary of the Senate furnish said petitioner with a duly authenticated printed copy of all the papers on the files of the Senate respecting said case.

The Senate proceeded, by unanimous consent, to consider the resolution, and it was agreed to.

On motion by Mr. Westcott,

Ordered, That the memorial of John B. Emerson, and the accompanying papers, be printed.

Mr. Bradbury, from the Committee of Claims, to whom was referred the bill (H. R. 528) for the relief of Augustus Ford, reported it without amendment.

Mr. Bradbury, from the Committee of Claims, to whom was referred the petition of John J. Simpson, submitted a report, which was ordered to be printed; and, in pursuance thereof,

Ordered, That the committee be discharged from the further consideration of the petition.

Agreeably to notice, Mr. Davis, of Mississippi, asked and obtained leave to bring in a bill (S. 457) for the relief of Mary B. Dix; which was read the first and second times by unanimous consent, and referred to the Committee on Pensions.

On motion by Mr. Hale, that when the Senate adjourn it be to Monday next.

It was determined in the negative, { Yeas ..... 13 / Nays 31

On motion by Mr. Downs,

The yeas and nays being desired by one fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Badger, Berrien, Bright, Butler, Calhoun, Dayton, Hale, King, Mangum, Miller, Phelps, Sebastian, Turney, Upham, Yulee.

Those who voted in the negative are,

Messrs. Atherton, Baldwin, Bell, Benton, Borland, Bradbury, Breese, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dickinson, Dix, Dodge, of Iowa, Douglas, Downs, Felch, Fitzpatrick, Foote, Greene, Hamlin, Hannegan, Houston, Hunter, Johnson, of Louisiana, Johnson, of Georgia, Jones, Mason, Metcalfe, Niles, Rusk, Spruance, Sturgeon, Underwood, Walker, Webster, Westcott.

The Senate proceeded to consider the resolution submitted by Mr Benton, the 7th instant, to repeal the 49th rule of the Senate, providing for the election of certain officers of the Senate on the second Monday of the first session of every Congress; and the resolution was agreed to.

The Senate proceeded to consider the resolution reported by the Committee of Pensions the 7th of February, respecting the printing of laws relating to pensions and bounty lands; and, having been amended, the resolution was agreed to, as follows:

Resolved, That such of the acts of Congress relative to pensions and the executive regulations touching the subject, as have been deemed necessary by the Committee on Pensions to be published, as well as the laws relating to bounty land, containing about ninety-four pages, be printed, and that six thousand additional copies be printed for the use of the Senate, and one thousand for the use of the Commissioner of Pensions.

The Senate resumed the consideration of the bill (S. 340) to promote the efficiency of the military and naval establishments; and,

On motion by Mr. Yulee,

Ordered, That the further consideration thereof be postponed until Tuesday next; February 13, and be the order of the day.

The bill (S. 409) to provide for the investigation of claims against the United States, was read the second time, and considered as in *Committee of the* Whole; and,

On motion by Mr. Bradbury,

Ordered, That the further consideration thereof be postponed until to-morrow, and be the order of the day.

The bill (S. 328) making a grant of public lands to the several States of the Union for certain purposes, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Dix,

Ordered, That the further consideration thereof be postponed until to-morrow, and be the order of the day.

After the consideration of executive business,

The Senate adjourned.

SATURDAY, February 10, 1849.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed seven enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

In compliance with the resolution of the Senate of the 6th instant, requesting the President to cause to be laid before that body in "executive or open session, in his discretion, any instructions given to Ambrose H. Sevier and Nathan Clifford, commissioned as ministers plenipotentiary on the part of the United States to the government of Mexico, or to either of said ministers, prior to the ratification, by the government of Mexico, of the treaty of peace between the United States and that republic," and certain correspondence and other papers specified in the said resolution, I communicate herewith a report from the Secretary of State, together with copies of the documents called for.

Having, on the 8th instant, in compliance with a resolution of the House of Representatives, in its terms more comprehensive than that of the Senate, communicated these, and all other papers appertaining to the same subject, with a message to that House, this communication is made to the Senate in "open," and not in "executive" session.

JAMES K. POLK.

Washington, *February* 9, 1849.

The message was read.

Ordered, That it be referred to the Committee on Foreign Relations.

On motion by Mr. Foote, that it be printed, with the accompanying documents, and that 20,000 copies thereof, in addition to the usual number, be printed for the use of the Senate,

A debate ensued; and,

On *motion by Mr.* Hale,

The Senate adjourned.

MONDAY, FEBRUARY 12, 1849.

The Vice President laid before the Senate a report of the Secretary of War, made in compliance with a resolution of the Senate, in relation to claims against the Cherokees who were parties to the treaty of August 6, 1846, especially against that portion of the nation called "Old settlers," or "Western Cherokees;" which was read.

Ordered, That it be referred to the Committee on Indian Affairs and printed.

The Vice President laid before the Senate a communication from the Secretary of War, accompanied by sixty copies of the official Army Register for 1849; which was read.

The Vice President laid before the Senate a report of the Secretary of the Treasury, made agreeably to law, accompanied by exhibits of contracts made by the Treasury Department, during the years 1847 and 1848; which was read.

The Vice President signed the seven enrolled bills last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following bills;

S. 360. An act to authorize the Secretary of War to make reparation for the killing of a Caddo boy by volunteer troops in Texas;

S. 163. An act to relinquish the reversionary interest of the United States in a certain Indian reservation in the State of Alabama.

Mr. Johnson, of Louisiana, presented a petition of citizens of New Orleans, Louisiana, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Baldwin presented the petition of the president and professors of Yale college, praying that the number of copies of the works of the late exploring expedition, now authorized to be printed, may be increased; which was referred to the Committee on the Library.

Mr. Clarke presented a petition of citizens of Providence, Rhode Island, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Fitzgerald presented the petition of John McDuell, praying compensation for the use of a scaffold, in painting the Capitol, of which he claims to be the inventor; which was referred to the Committee of Claims.

Mr. Dix presented a memorial of citizens of New York, praying such modifications of the patent laws as will secure to patentees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Cameron presented four petitions of citizens of Schuylkill county, Pennsylvania, praying such an increase of the duties on *imports as will afford* protection to the domestic industry of the *country; which* were referred to the Committee on Finance.

Mr. Sebastian presented the memorial of William Pelham and others, praying the adoption of the necessary measures for constructing a railroad from Memphis, or some other point on the Mississippi river to the Pacific ocean.

Ordered, That it lie on the table.

Mr. Rusk presented the memorial of Robert B. Kingsbury, praying to be indemnified against loss by the refusal of the Mexican authorities to allow him to dispose of a quantity of tobacco imported into the port of Matamoras while in possession of the United States forces, as by the nineteenth article of the treaty between the United States and Mexico he had a right to do; which was referred to the Committee on Foreign Relations.

Mr. Benton presented two memorials of citizens of the United States, residing in the valley of the Mississippi, praying that military escorts may be placed on the route between that valley and California, and a permanent military post established at some point convenient to the gold region in that territory, for the protection of emigrants.

Ordered, That they be printed.

Mr. Dix presented the petition of the widow and heirs of Henry Perrine, deceased, praying an extension of the time allowed by law for the occupation and settlement of a township of land granted to the said Henry Perrine, for the cultivation of tropical plats; which was referred to the Committee on Public Lands.

Mr. Westcott, submitted additional documents relating to the petition of the widow and heirs of Henry Perrine, deceased; which were referred to the Committee on Public Lands.

Mr. Dayton presented the petition of Mary Sanders, widow of a revolutionary soldier, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

Mr. Davis, of Massachusetts, submitted the following resolution; which was considered by unanimous consent, and agreed to;

Resolved, That the Committee on Military Affairs be instructed to inquire whether the laws granting bounty lands to soldiers and others engaged in the war with Mexico, require amendment in order to do justice to all persons engaged in that service.

The following message was received from the President of the United States by Mr. Walker, his secretary:

To the Senate of the United States:

I communicate, herewith, a report from the Secretary of the Treasury, with the accompanying documents, in answer to the resolution of the Senate of December 28, 1848, requesting "to be informed of the number of vessels annually employed in the coast survey, and the annual cost thereof, and out of what fund they were paid; also, the number of persons annually employed in said survey who were not of the army and navy of the United States; also, the amount of money received by the United States for maps and charts made under such survey and sold under the act of 1844."

JAMES K. POLK.

WASHINGTON, *February* 12, 1849.

The message was read.

Ordered, That it be printed.

The Vice President laid before the Senate a report of the First Auditor of the Treasury Department and the Auditor of the Post Office Department, in the case of Jennings, Roddey, and Carter, made in compliance with a resolution of the Senate; which was read.

Ordered, That it be referred to the Committee of Claims.

Mr. Mason, from the Committee of Claims, to whom was referred the bill (H. R. 399) for the relief of the legal representatives of Oliver Lee, deceased, reported it without amendment.

Mr. Mason, from the Committee of Claims, to whom was referred the bill (H. R. 514) for the relief of William Snavely, of Indiana, reported it without amendment.

Mr. Borland, from the Committee on Public Lands, to whom was referred the bill (S. 349) granting to the States of Alabama and Florida the right of way and a donation of public lands to aid in the construction of a railroad from Montgomery, in the State of Alabama, to Pensacola, in the State of Florida, and from thence to the waters of the Tensaw river, or Mobile bay, in said State of Alabama, reported it without amendment.

Mr. Downs, from the Committee on Private Land Claims, to whom was referred the bill (H. R. 678) for the relief of Amelia Couvillion, of Louisiana, reported it without amendment.

On motion by Mr. Downs,

Ordered, That the Committee on Private Land Claims be discharged from the further consideration of the bill (H. R. 709) granting the right of pre-emption to Joshua Holden.

Mr. Downs, from the Committee on Private Land Claims, to whom was referred the bill (H. R. 677) for the relief of Sidney Flower, of Louisiana, and for other purposes, reported it without amendment.

Mr. Davis, of Massachusetts, from the Committee on Military Affairs, to whom was referred a memorial of the General Assembly of the State of Arkansas, presented the 15th January, in relation to bounty land to all the volunteers, submitted a report, accompanied by the following resolution:

Resolved, That it is, in the opinion of the Senate, inexpedient to comply with the prayer of the memorialists.

The Senate, by unanimous consent, proceeded to consider the resolution, and it was agreed to.

Ordered, That the report be printed.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, reported a bill (S. 458) to provide for the classification of the clerks in the military bureaus, and for other purposes; which was read, and passed to the second reading.

Mr. Rusk, from the Committee on Military Affairs, to whom was referred the memorial of Samuel Colt, submitted a report; which was ordered to be printed.

M . Metcalfe, from the Committee on Military Affairs, to whom

was referred the bill (H. R. 542) for the relief of Josiah P. Pilcher, reported it without amendment.

Mr. Bright, from the Committee on Territories, to whom was referred the petition of John P. Duval, submitted a report, accompanied by a bill (S. 459) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (S. 457) for the relief of Mary B. Dix, reported it without amendment, and submitted a report on the subject; which was ordered to be printed.

The Senate proceeded to consider the resolution submitted by Mr. Metcalfe, the 8th instant, in relation to the settlement of the claims of R. M. Johnson; and the resolution was agreed to.

The two bills and three joint resolutions received from the House of Representatives for concurrence, the 9th instant, were read the first and second times by unanimous consent.

Ordered, That the bill numbered H. R. 15 be referred to the Committee on Military Affairs; that the bill numbered H. R. 759 be referred to the Committee on Private Land Claims; that the joint resolution numbered H. R. 49 be referred to the Committee on the Judiciary; and that the resolution numbered H. R. 51 be referred to the Committee on Naval Affairs.

The Senate proceeded to consider, as in Committee of the Whole, the resolution (H. R. 50) for the relief of John B. Nevitt, of Adams county, Mississippi; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said resolution was read the third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 700) to amend the act entitled "An act supplementary to the act for the admission of the States of Iowa and Florida into the Union;" and, having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed, and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass, with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 686) making appropriations for certain fortifications of the United States for the year ending the 30th of June, 1850.

They insist on their amendment disagreed to by the Senate to the bill (S. 251) for the relief of the personal representatives of William A. Slacum.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the two enrolled bills this day reported to have been examined, and they were delivered to the committee, to be presented to the President of the United States.

Mr. Rusk reported, from the committee, that they presented to the President of the United States, the 10th instant, the following acts:

S. 43. An act for the relief of Jeannette C. Huntington, widow and sole executrix of William D. Cheever, deceased.

H. R. 92. An act for the relief of William Fuller and Orlando Saltmarsh.

H. R. 261. An act for the relief of William Fuller and Charles Savage.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, the 10th instant, the bill (S. 43) for the relief of Jeanette Huntington, widow and sole executrix of William D. Cheever, deceased.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government for the year ending the 30th of June, 1850.

The amendments reported by the committee having been agreed to,

A motion was made by Mr. Hale, to amend the bill by inserting, section 1, line 350, after the word "dollars," the following: "and all laws and parts of laws heretofore passed, authorizing the infliction of whipping in the naval service of the United States, be, and the same are hereby, repealed;" and

It was determined in the negative, { Yeas..... 17 / Nays..... 32

On motion by Mr. Hale,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Baldwin, Borland, Bradbury, Cameron, Clarke, Davis, of Massachusetts, Dix, Dodge, of Iowa, Hale, Hamlin, Jones, Metcalfe, Niles, Underwood, Upham, Walker.

Those who voted in the negative are,

Messrs. Atchison, Atherton, Badger, Bell, Berrien, Butler, Calhoun, Clayton, Davis, of Mississippi, Dayton, Dickinson, Downs, Fitzgerald, Fitzpatrick, Foote, Greene, Hannegan, Houston, Hunter, Johnson, of Louisiana, Johnson, of Georgia, Mangum, Mason, Miller, Phelps, Rusk, Sebastian, Spruance, Sturgeon, Turney, Westcott, Yulee.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 13, 1849.

The Vice President presented the proceedings of the chamber of commerce of New York in favor of appropriations for continuing the operations of the coast survey.

On motion by Mr. Davis, of Mississippi,

Ordered, That they be printed.

Mr. Corwin presented a petition of citizens of Toledo, Ohio, praying the establishment of a reciprocal free trade in certain articles of agricultural production between the United States and Canada:

Ordered, That it lie on the table.

Mr. Greene presented the petition of Samuel S. Bartlett, praying that bounty land and extra pay may be allowed to that portion of the marine corps which served in California during the Mexican war; which was referred to the Committee on Naval Affairs.

Mr. Hamlin presented a petition of citizens of Lincoln county, Maine, praying that the rates of postage may be reduced and the franking privilege abolished:

Ordered, That it lie on the table.

Mr. Davis, of Massachusetts, presented a memorial of the insurance companies of Boston, Massachusetts, praying that the operations of the coast survey may be continued under the existing arrangements for the prosecution of that work:

Ordered, That it lie on the table.

Mr. Rusk submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety of authorizing the Commissioner of the General Land Office to purchase five hundred copies of "White's New Recopilacion."

Mr. Breese submitted the following resolution for consideration:

Resolved, That the report of the Commissioner of the General Land Office under date of February 11, 1849, be printed with the annual report of said Commissioner as an appendix to the same; and that three thousand extra copies of his last annual report, with the appendix, be printed for the use of the Senate, five hundred copies thereof for the use of the General Land Office.

Mr. Westcott, by unanimous consent, asked and obtained leave to bring in a bill (S. 460) to extend an act herein mentioned; which was read the first and second times by unanimous consent, and, with an accompanying document, referred to the Committee on Public Lands.

Mr. Baldwin, from the Committee of Claims, to whom was referred the petition of Samuel F. Read, submitted a report, accompanied by a bill (S. 461) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Baldwin, from the Committee of Claims, to whom was referred the petition of the heirs of James Maglenin, submitted an adverse report; which was ordered to be printed.

Mr. Baldwin, from the Committee of Claims, to whom was referred the bill (H. R. 530) for the relief of James Y. Smith, reported it without amendment.

On motion by Mr. Baldwin,

Ordered, That the Committee of Claims be discharged from the further consideration of the petition of Samuel Simonton, and that the petition be referred to the Committee on Public Lands.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the petition of Rosana Maury, submitted an adverse report; which was ordered to be printed.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the petition of Ruth Kerr, submitted an adverse report; which was ordered to be printed.

Mr. Bradbury, from the Committee of Claims, to whom was referred the bill (H. R. 214) for the relief of Noah A. Phelps, reported the same without amendment, and submitted an adverse report on the subject.

Mr. Mason, from the Committee of Claims, to whom was referred the bill (H. R. 566) for the relief of John F. Ohl, reported it without amendment.

Mr. Fitzpatrick, from the Committee of Claims, to whom the following bills were referred—

H. R. 481. An act for the relief of William P. Yonge;

H. R. 583. An act for the relief of Thomas H. Noble;

H. R. 725. An act for the relief of B. O. Payne, of Albany, New York—reported the same without amendment.

Mr. Corwin, from the Committee on Public Lands, to whom was referred the memorial of E. S. Haines, reported a resolution (S. R. 59) to authorize the Secretary of the Treasury to make an equitable settlement with the sureties of Robert T. Lytle, late surveyor general of the district of Ohio; which was read, and passed to the second reading.

The said resolution was read the second time by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time by unanimous consent.

Resolved, That this resolution pass, and that the title thereof be as aforesaid.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred the bill (S. 395) to authorize the payment to the State of Georgia of certain sums of money therein specified, reported the same without amendment, and submitted a report on the subject; which was ordered to be printed.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representative have passed a bill and a joint resolution of the following titles:

H. R. 765 An act granting five years' half pay to certain widows and orphans of officers, non commissioned officers, musicians, and *privates, both* regulars and volunteers;

H. R. 52. Joint resolution relative to evidence in applications for pensions by widows of deceased soldiers under the act of July 21, 1848; in which they request the concurrence of the Senate.

The resolution last mentioned was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Pensions.

The bill (H. R. 766) granting five years' half pay to certain widows and orphans of officers, non-commissioned officers, musicians, and privates, both regulars and volunteers, was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The bill (H. R. 686) making appropriations for certain fortifications of the United States, for the year ending the 30th of June, 1850, was read the first and second time by unanimous consent.

Ordered, That it be referred to the Committee on Finance.

The bill (S. 415) to grant the right of way across the public lands, and to dispose of said land in aid of the several States in the construction of railroads and canals, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government, for the service of the year ending June 30, 1850.

On motion by Mr. Johnson, of Georgia,

To amend the bill by inserting, section 1, page 24, line 585, the following:

"To reimburse the corporation of Washington the cost of erecting the half of the city hall building, granted to and occupied by the government for the circuit, district, and criminal courts of the United States, thirty thousand dollars, the same to be expended by the said corporation in finishing the exterior of the said building, under the direction of the Secretary of the Treasury; *Provided*, That rooms enough be set apart for the use of the United States in the District of Columbia, the Secretary of the Treasury to be the judge as to the sufficiency of the rooms so provided."

It was determined in the affirmative, { Yeas ..... 35 / Nays 17

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present
Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Benton, Berrien, Butler, Clarke Corwin, Davis, of Massachusetts, Dayton, Dix, Downs, Fitzgerald Foote, Greene, Hale, Hannegan, Houston, Hunter, Johnson, o Louisiana, Johnson, of Georgia, Jones, King, Mangum, Mason Metcalfe, Miller, Pearce, Rusk, Spruance, Underwood, Upham Webster, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Borland, Bradbury, Breese Bright, Cameron, Davis, of Mississippi, Dickinson, Dodge of Iowa Fitzpatrick,, Hamlin, Niles, Sebastian, Turney, Walker.

The bill having been further amended,

On motion,

The Senate adjourned.

WEDNESDAY, February 14, 1849.

On motion by Mr. Badger,

Ordered; That a message be sent to the House of Representatives to request a return of the bill (S. 415) to grant the right of way across the public lands, and to dispose of said land in aid of the several States in the construction of railroads and canals.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives is now ready to receive the Senate, in pursuance of the resolution of the two Houses, to the end that the President of the Senate, in the presence of the Senate and House of Representatives, may open the certificates of the votes of the electors of the several States in the choice of a President and Vice President of the United States, and that the same may be counted.

The two Houses of Congress, agreeably to the resolution passed by the two Houses, assembled in the chamber of the House of Representatives, and the certificates of the electors of the several States were by the President of the Senate opened and delivered to the tellers appointed for the purpose; who, having examined and ascertained the number of votes, presented a list thereof to the President of the Senate, which was read, as follows:

List of the votes for President and Vice President of the United States for four years, to commence on the fourth day of March, 1849.

Number of electoral votes.	STATES.	FOR PRESIDENT.		FOR VICE PRESIDENT.	
		Zachary Taylor, of Louisiana.	Lewis Cass, of Michigan.	Millard Fillmore, of New York.	William O. Butler, of Kentucky.
9	Maine	.....	9	.....	9
6	New Hampshire	.....	6	.....	6
12	Massachusetts	12	.....	12	.....
4	Rhode Island and Providence Plantations	4	.....	4	.....
6	Connecticut	6	.....	6	.....
6	Vermont	6	.....	6	.....
36	New York	36	.....	36	.....
7	New Jersey	7	.....	7	.....
26	Pennsylvania	26	.....	26	.....
3	Delaware	3	.....	3	.....
8	Maryland	8	.....	8	.....
17	Virginia	.....	17	.....	17
11	North Carolina	11	.....	11	.....
9	South Carolina	.....	9	.....	9
10	Georgia	10	.....	10	.....
12	Kentucky	12	.....	12	.....
13	Tennessee	13	.....	13	.....
23	Ohio	.....	23	.....	23
6	Louisiana	6	.....	6	.....
6	Mississippi	.....	6	.....	6
12	Indiana	.....	12	.....	12
9	Illinois	.....	9	.....	9
9	Alabama	.....	9	.....	9
7	Missouri	.....	7	.....	7
3	Arkansas	.....	3	.....	3
5	Michigan	.....	5	.....	5
3	Florida	3	.....	3	.....
4	Texas	.....	4	.....	4
4	Iowa	.....	4	.....	4
4	Wisconsin	.....	4	.....	4
290		163	127	163	127

The whole number of the electors appointed to vote for President and Vice President of the United States is 290, of which 146 make a majority.

The state of the vote, as delivered by the tellers, is:

For Zachary Taylor, of Louisiana, 163.

For Lewis Cass, of Michigan, 127.

And the state of the vote for Vice President of the United States, as delivered by the tellers, is:

For Millard Fillmore, of New York, 163.

For *William O. Butler, of* Kentucky, 127.

Whereupon,

The President of the Senate declared that Zachary Taylor, of the State of Louisiana, having the greatest number of votes for President, and that number being a majority of the whole number of electors, was duly elected President of the United States for four years, commencing on the fourth day of March, 1849; and that Millard Fillmore, of the State of New York, having the greatest number of votes for Vice President, and that number being a majority of the whole number of electors, was duly elected Vice President of the United States for four years, commencing on the fourth day of March, 1849.

The votes of the electors were then delivered to the Secretary of the Senate, and the Senate then returned to their chamber.

Mr. Davis, of Mississippi, from the committee appointed on the part of the Senate, jointly with the committee appointed on the part of the House of Representatives, to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election, reported:

"That the joint committee, in further execution of the duties with which they were charged by the two Houses, have agreed to the following resolution; in which their committee recommend to the Senate to concur:

"*Resolved*, That a committee of one member be appointed on the part of the Senate, to join a committee of two members on the part of the House of Representatives, to wait upon Zachary Taylor, of Louisiana, and inform him that he has been duly elected President of the United States for four years, to commence on the fourth day of March, 1849; and, also, to wait on Millard Fillmore, of New York, and inform him that he has been duly elected Vice President of the United States for four years, to commence on the fourth day of March, 1849."

The Senate, by unanimous consent, proceeded to consider the resolution; and the resolution was agreed to.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom were referred the following bills:

H. R. 285. Act for the relief of John Campbell;

H. R. 445. Act for the relief of Elizabeth Williamson;

H. R. 449. Act for the relief of John Wilson;

H. R. 454. Act for the relief of Edward Taylor;

H. R. 453. Act for the relief of Amos Armstrong;

H. R. 501. Act for the relief of Henry Miller;

H. R. 545. Act for the relief of Polly Dameron, widow of Charles Dameron, deceased;

H. R. 546. Act for the relief of Elizabeth Kinney;

H. R. 551. Act for the relief of Edward Cole;

H. R. 552. Act for the relief of George S. Chaflin;

H. R. 554. Act for the relief of David Towle, reported the same *without* amendment.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (H. R. 558) for the relief of Joseph D. Ward, reported it with an amendment.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the Committee on Pensions, to whom was referred the bill (H. R. 613) for the relief of Martha Dameron, be discharged from the further consideration thereof, and that it be referred to the Committee on Naval Affairs.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I transmit, herewith, a report from the Secretary of War, together with the accompanying papers, in compliance with a resolution of the Senate of the 12th instant, requesting the President to communicate to that body the proceedings under the act of Congress of the last session, to compensate R. M. Johnson for the erection of certain buildings for the use of the Choctaw academy; also, the evidence of the cost of said buildings.

JAMES K. POLK.

WASHINGTON, *February* 14, 1849.

The message was read.

Ordered, That it be referred to the Committee on Finance.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 15, 1849.

The Vice President laid before the Senate a report of the Commissioner of Patents, showing the proceedings of the Patent Office during the past year; which was read and referred to the Committee on Patents.

The Vice President laid before the Senate a communication from the Secretary of the Treasury, in relation to the amount expended for pay and rations of officers and men of the naval establishment, detailed under the law for coast survey services; which was read, and ordered to be printed.

Mr. Dix presented a petition of citizens of Ontario county, New York, praying that the rates of postage may be reduced, and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Dix presented a petition of citizens of New York, praying such amendments of the patent laws as will secure to patentees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Felch presented the petition of Martin Dubois, a revolutionary pensioner, praying an increase of pension; which was referred to the Committee on Pensions.

Mr. Sturgeon presented a memorial of citizens of Pennsylvania, praying such amendments of the patent laws as will secure to pat-

entees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Walker presented two petitions of citizens of the United States, praying that the public domain may be granted in suitable farms and lots to actual settlers not possessed of other lands; which were referred to the Committee on Public Lands.

On motion by Mr. Felch,

Ordered, That the memorial of the American board of commissioners for foreign missions, on the files of the Senate, be referred to the Committee on Indian Affairs.

Mr. King submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of authorizing a grant of land to the surviving officers of the army, who served to the termination of the war with Great Britain, commenced in 1812, and were then discharged from the service, under the provisions of an act of Congress for reducing the army; and also to the widows and children of those who have died since the close of the war.

On motion by Mr. Felch,

Ordered, That the Committee on Public Lands be discharged from the further consideration of documents of John Millikin and others.

Mr. Underwood, from the Committee on Public Lands, to whom was referred the bill (H. R. 650) for the relief of William Kingsbury, reported it without amendment, and submitted an adverse report; which was ordered to be printed.

Mr. Hamlin, from the Committee on Commerce, to whom was referred the bill (H. R. 571) for the relief of William Milford, reported it without amendment.

Mr. Baldwin, from the Committee of Claims, to whom was referred the petition of John S. Devlin, administrator of Elijah J. Weed, submitted a report, accompanied by a bill (S. 462) for the relief of the securities of Elijah J. Weed, late quartermaster of marines.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Baldwin, from the Committee of Claims, to whom was referred the petition of William Caton, submitted an adverse report; which was ordered to be printed.

On motion by Mr. Felch,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the petition of Samuel Simonton, and that it be referred to the Committee on Indian Affairs.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred the petition of certain head chiefs of the Chippewa tribe of Indians, reported a resolution (S. R. 60) to defray the expenses of certain Chippewa Indians and their services; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the resolution be engrossed, and read a third time.

The said resolution was read a third time.

Resolved, That this resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this resolution.

Mr. Mason, from the Committee on the Library, to whom was referred, the 14th December, a resolution "that the Secretary be directed to furnish each member of the Senate, who has not already received them, the same number of copies of the constitution and other books ordered to be furnished to the Senators by the resolutions of February 18, 1847," reported the same without amendment.

Agreeably to notice, Mr. Walker asked and obtained leave to bring in a bill (S. 463) concerning lands lying between the meander line and middle of meandered rivers; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Agreeably to notice, Mr. Dodge, of Iowa, asked and obtained leave to bring in a bill (S. 464) for the relief of Moses Meeker and David G. Bates; which was read the first and second times by unanimous consent, and referred to the Committee of Claims.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the resolution (S. R. 56) authorizing the Secretary of War to furnish arms and ammunition to persons emigrating to the Territories of Oregon, California, and New Mexico, reported it without amendment.

Mr. Butler, from the Committee on the Judiciary, to whom were referred the amendments of the House of Representatives to the bill (S. 20) concerning testimony; reported thereon.

The Senate proceeded to consider the amendments of the House of Representatives to the bill last mentioned; and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a resolution (H. R. 53) authorizing a settlement of the accounts of Thos. M. Howe, late pension agent at Pittsburg upon equitable principles; in which they request the concurrence of the Senate.

They have passed a resolution for the appointment of a joint committee to wait upon Zachary Taylor, of Louisiana, and inform him that he has been duly elected President of the United States for four years, to commence on the fourth day of March, 1849, and also to wait upon Millard Fillmore, of New York, and inform him that he has been elected Vice President of the United States for four years, to commence on the fourth day of March, 1849; and appointed Mr. Barrow and Mr. Nathan K. Hall the committee on their part.

They concur *in the amendment* of the Senate to the bill (H. R.

766) granting five years' half-pay to certain widows and orphans of officers, non-commissioned officers, musicians, and privates, both regulars and volunteers.

They have passed the following bills from the Senate:

S. 259. An act for the relief of Nehemiah Brush;

S. 386. An act continuing the pension granted to Patrick Walker.

I am directed to return to the Senate, in compliance with their request, the bill (S. 415) to grant the right of way across the public lands, and to dispose of said land in aid of the several States in the construction of railroads and canals.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 346) for the relief of Samuel F. Butterworth; and

On motion of Mr. Foote,

Ordered, That it be recommitted to the Committee on the Post Office and Post Roads.

Mr. Foote presented additional papers relating to the claim of Samuel F. Butterworth; which were referred to the Committee on the Post Office and Post Roads.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 457) for the relief of Mary B. Dix; and

On motion that it lie on the table,

And determined in the affirmative, { Yeas..... 24 / Nays..... 20

On motion by Mr. Cameron,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bell, Berrien, Bradbury, Bright, Butler, Calhoun, Cameron, Corwin, Davis, of Massachusetts, Dayton, Fitzpatrick, Hale, Hunter, King, Mason, Metcalfe, Pearce, Spruance, Turney, Underwood, Upham, Walker, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Benton, Borland, Davis, of Mississippi, Dickinson, Dodge, of Iowa, Downs, Felch, Foote, Greene, Hannegan, Houston, Johnson, of Louisiana, Jones, Miller, Phelps, Sturgeon, Webster, Westcott.

So it was

Ordered, That the bill lie on the table.

On motion by Mr. Badger,

To reconsider the vote on passing the bill (S. 415) to grant the right of way across the public lands, and to dispose of said land in aid of the several States in the construction of railroads and canals;

Ordered, That the further consideration of the motion be postponed until to-morrow.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 251) for the relief of the personal representative of William A. Slacum, deceased, which amendments had been insisted upon by the House of Representatives; and

On motion by Mr. Hannegan,

Resolved, That the Senate insist on their disagreement to the

said amendments, and ask a conference on the disagreeing votes of the two Houses.

On motion,

Ordered, That the committee of conference be appointed by the Vice President; and

Mr. Hannegan, Mr. Corwin, and Mr. Downs were appointed the committee.

The bill (S. 221) authorizing the renewal of a patent for the benefit of the widow and heirs at law of Timothy P. Anderson; was read the second time and considered as in Committee of the Whole; and,

On motion by Mr. Badger,

Ordered, That it lie on the table.

The Senate resumed, as in Committee of the Whole, the bill (S. 131) for the relief of the heirs and legal representatives of Colonel William Grayson; and,

On motion,

Ordered, That it lie on the table.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (S. 139) for the relief of John P. Baldwin, owner of the Spanish brig Gil Blas; and,

On motion,

Ordered, That it lie on the table.

The joint resolution (S. R. 19) for the relief of John A. Bryan, was read the second time, and considered as in Committee of the Whole; and,

On motion,

Ordered, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the following bills and joint resolutions:

H. R. 24. An act for the relief of George Newton;

H. R. 61. An act for the relief of Nancy Tompkins;

H. R. 62. An act for the relief of James Glynn and others;

H. R. 71. An act for the relief of Jesse Young;

H. R. 6. Joint resolution for the relief of J. Melville Gilliss and others;

H. R. 14. Joint resolution concerning the settlement of the accounts of William Speiden, purser in the navy of the United States;

H. R. 18. Joint resolution for the relief of H. M. Barney; and no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills and resolutions were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion by Mr. Badger,

Ordered, That a member be appointed by the Vice President on the joint committee to wait upon the President and Vice President elect and inform them that they have been duly elected; and

Mr. Davis, of *Mississippi*, was appointed.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the bill of the Senate (366) in addition to the act entitled "An act to incorporate the Washington, Alexandria, and Georgetown Steam Packet Company," with an amendment; in which they request the concurrence of the Senate.

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 16, 1849.

The Vice President laid before the Senate a report of the Secretary of the Navy, communicating in compliance with a resolution of the Senate of the 8th instant, certain despatches of Commodore Robert F. Stockton, relating to the naval and military operations in California, not heretofore communicated to Congress and published; which was read.

On motion by Mr. Westcott,

Ordered, That it be printed and that five hundred additional copies be furnished for the use of the Senate.

Mr. Breese presented a petition of citizens of Winchester, Scott county, Illinois, praying that military escorts may be placed on the route between the valley of the Mississippi and California, and a permanent military post established at some point in that territory convenient to the gold region; which was referred to the Committee on Military Affairs.

Mr. Douglas presented two memorials of citizens of the United States, residing in the valley of the Mississippi, praying that military escorts may be placed on the route between that valley and California, and a permanent military post established at some point convenient to the gold region; which were referred to the Committee on Military Affairs.

Mr. Douglas presented the petition of citizens of the State of Illinois, praying the erection of a marine hospital on Rock island, in the Mississippi river; which was referred to the Committee on Commerce.

Mr. Miller presented a petition of citizens of New Jersey, praying the adoption of measures for abolishing slavery throughout the United States, and a petition of citizens of New Jersey, praying the immediate abolition of slavery and the slave trade in the District of Columbia.

The motion to receive the petitions being objected to,

Ordered, That it lie on the table.

Mr. Felch submitted the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That the Committee on Indian Affairs be instructed to inquire into the expediencey of increasing the amount appropriated annually for the civilization of Indians, by an act of Congress, approved March 3, 1819, to fifty thousand dollars instead of *ten thousand, as provided* by said act.

On motion by Mr. Atchison,

Ordered, That the order of the 12th instant to print the report of the Secretary of War, made in compliance with a resolution of the Senate, in relation to Cherokee affairs, be so modified as to exclude therefrom printed document No. 298, of the first session, twenty-ninth Congress.

Mr. Niles presented a petition of citizens of New York, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Davis, of Massachusetts, presented a report of a committee of the American Acadamy of Arts and Sciences, of Boston, approving the manner in which the operations of the coast survey have been conducted under the present superintendent, and in favor of the continuation of the work on the system now pursued.

Ordered, That it lie on the table.

Mr. Atchison presented a memorial of the Legislature of the State of Missouri, praying that the inundated public lands in the southeastern portion of that State and northeastern portion of Arkansas, may be ceded to the State of Missouri on condition that they shall be reclaimed by that State.

Ordered, That it lie on the table and be printed.

On motion by Mr. Hunter.

Ordered, That the the executor of George Evans, deceased, have leave to withdraw his petition and papers.

Mr. Hale submitted the following resolution for consideration:

Resolved, That on Thursday next, when the Senate take up the calendar of private bills, those bills to the passage of which no objection shall then be made, shall be first considered and disposed of.

Mr. Johnson, of Georgia, presented the memorial of Johnson K. Rogers, for himself and other Cherokee Indians, praying that an investigation may be instituted by Congress on the subject of certain wrongs alleged to have been suffered by those Indians through the agency of certain officers of the government.

On motion by Mr. Johnson of Georgia,

Ordered, That the memorial be referred to a select committee consisting of five members, to be appointed by the Vice President; and

Mr. Johnson, of Georgia, Mr. Bell, Mr. Breese, Mr. Phelps, and Mr. Atchison were appointed the Committee.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a joint resolution (H. R. 47) for the purchase of copies of the General Navy Register and Laws; and they have passed the bill (H. R. 764) to establish the Home Department, and to provide for the Treasury Department an Assistant Secretary of the Treasury and a Commissioner of the Customs; in which joint resolution and bill they request the concurrence of the Senate.

Mr. Baldwin, from the Committee on Pensions, to whom was re-

ferred the documents in relation to the claim of Joseph M. Farrow, submitted an adverse report; which was ordered to be printed.

Mr. Mason, from the Committee of Claims, to whom was referred the petition of E. P. Guion and B. McLaughlin, submitted a report accompanied by a bill (S. 465) for the relief of Guion and McLaughlin.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Borland, from the Committee on Public Lands, to whom was referred the resolution of the Legislature of Arkansas, in relation to the salt springs in that State, submitted a report, accompanied by a bill (S. 466) granting to the State of Arkansas one salt spring and six sections of land adjoining.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Agreeably to notice, Mr. Walker asked and obtained leave to bring in a bill (S. 467) making an appropriation of money for the improvement of the harbor at Port Washington, on Lake Michigan; which was read the first and second times by unanimous consent, and referred to the Committee on Commerce.

By unanimous consent, Mr. Underwood asked and obtained leave to bring in a joint resolution (S. 61) to secure a burying ground in Mexico for the use of the citizens of the United States; which was read and passed to the second reading.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a bill (H. R. 216) for the relief of the legal representatives of Colonel Francis Vigo; in which they request the concurrence of the Senate.

On motion by Mr. Downs, that the previous orders be postponed, for the purpose of considering the motion submitted the 7th instant, to change the hour of the meeting of the Senate,

It was determined in the affirmative, { Yeas ..... 27 / Nays 24

On motion by Mr. Downs,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atherton, Bell, Breese, Clarke, Davis, of Massachusetts, Dodge, of Iowa, Douglas, Downs, Felch, Fitzgerald, Fitzpatrick, Foote, Greene, Hannegan, Houston, Johnson, of Louisiana, Jones, King, Metcalfe, Niles, Rusk, Sebastian, Spruance, Sturgeon, Underwood, Walker, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atchison, Badger, Baldwin, Berrien, Borland, Bradbury, Bright, Butler, Calhoun, Corwin, Davis, of Mississippi, Dickinson, Hale, Hamlin, Hunter, Johnson, of Georgia, Mangum, Mason, Miller, Phelps, Turney, Upham, Yulee.

The said motion being modified on the motion of Mr. Badger, to read as follows:

Ordered, That after the *next* week, the hour of meeting of the Senate shall be 11 o'clock, a. m.,

On motion by Mr. Dickinson, that it lie on the table,

It was determined in the negative, { Yeas ..... 26 / Nays 27

On motion by Mr. Foote,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Badger, Baldwin, Berrien, Borland, Bright, Butler, Calhoun, Cameron, Corwin, Dayton, Dickinson, Hale, Hamlin, Hunter, Johnson, of Georgia, Mangum, Mason, Metcalfe, Miller, Pearce, Phelps, Turney, Upham, Walker.

Those who voted in the negative are,

Messrs. Atherton, Bell, Bradbury, Breese, Clarke, Davis, of Massachusetts, Davis, of Mississippi, Dix, Dodge, of Iowa, Douglas, Downs, Felch, Fitzgerald, Fitzpatrick, Foote, Greene, Houston, Johnson, of Louisiana, Jones, King, Niles, Rusk, Sebastian, Spruance, Sturgeon, Underwood, Westcott.

Further amendments having been proposed,

On motion by Mr. Hale,

Ordered, That it lie on the table.

On motion by Mr. Cameron,

Ordered, That Samuel H. Thompson have leave to withdraw his petition and papers.

On motion by Mr. Cameron,

Ordered, That the memorial of Evelina Porter, widow of Commodore David Porter, on the files of the Senate, be referred to the Committee on Naval Affairs.

On motion by Mr. Atherton, the Senate resumed, as in Committee of the Whole, the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government for the year ending the 30th of June, 1850, and for other purposes; and several amendments having been agreed to,

On motion by Mr. Johnson, of Georgia, further to amend the bill by inserting after line 585 the following:

For clearing out and deepening that portion of the Washington city canal, which runs through and along the public grounds, twenty thousand dollars, to be expended under the direction of the Secretary of the Treasury: *Provided*, The corporation of Washington shall expend a like sum in clearing out and deepening the other portions of said canal: *And provided, also*, That all transportations on said canal for the use of the government of the United States shall be free of toll.

It was determined in the affirmative, { Yeas ..... 29 / Nays 18

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the members present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Benton, Berrien, Clarke, Corwin, Davis, of Massachusetts, Dayton, Douglas, Downs, Fitzgerald, Foote, Greene, Hunter, Johnson, of Louisiana, Johnson, of Georgia, Jones, Mangum, Mason, Metcalfe, Miller, Pearce, Phelps, Spruance, Upham, *Webster*, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Borland, Bradbury, Bright, Calhoun, Davis, of Mississippi, Dickinson, Dodge, of Iowa, Felch, Fitzpatrick, Hamlin, Niles, Rusk, Sebastian, Turney, Walker.

So the amendment was agreed to.

On motion by Mr. Mangum,

The Senate adjourned.

SATURDAY, February 17, 1849.

The Vice President laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate of the 11th December last, a report from the superintendent of the coast survey in relation to the survey of the coast of Florida and its keys and reefs; which was read; and,

On motion by Mr. Pearce,

Ordered, That it lie on the table and be printed.

Mr. Cameron presented two petitions of citizens and female inhabitants of the State of Pennsylvania, praying the adoption of measures for abolishing slavery in the District of Columbia, and prohibiting the introduction of slavery into any territory belonging to the United States; three petitions of citizens of said State, praying the abolition of slavery and the slave trade in the District of Columbia; and a petition of citizens of Pennsylvania, praying that the ordinance of 1787 may be adopted in the organization of territorial governments by the United States.

The motion to receive the petitions being objected to,

Ordered, That it lie on the table.

Mr. Cameron presented a petition of citizens of Pennsylvania, praying that the price of the mineral lands of the United States may be reduced to the minimum standard of other public lands; which was referred to the Committee on Public Lands.

Mr. Cameron presented a memorial of citizens of Pennsylvania, praying such amendments of the patent laws as will secure to patentees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Cameron presented the petition of William Greer, praying the patronage of the government to a work, called the "Mirror of the Patent Office," of which he is the publisher; which was referred to the Committee on Patents and the Patent Office.

Mr. Cameron presented the petition of William Chapman, a soldier in the last war with Great Britain, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Westcott presented a petition of Stevens & Ellison, and others, citizens of the United States, praying that they may be protected against a foreign infraction of their patent-right for a machine for turning or cutting irregular forms; and a petition of citizens of Monroe county, New York, praying the enactment of a law for the protection of American inventors against foreign infractions of their patent-rights; which were referred to the Committee on Patents and the Patent Office.

Mr. Borland presented a memorial of citizens of Arkansas, praying the adoption of measures for the construction of a railroad from Memphis to the Pacific ocean:

Ordered, That it lie on the table.

Mr. Foote presented the memorial of Jesse E. Dow, for himself and his associates, proposing to open a route to the Pacific ocean by means of a road over the isthmus of Tehuantepec, on condition that the United States will authorize them, for a valuable consideration, to transport the mails and other property of the government over said road; which was referred to the Committee on the Post Office and Post Roads, and ordered to be printed.

Mr. Johnson, of Georgia, having been, on his motion, excused from serving on the select committee on the memorial of Johnson K. Rogers,

Ordered, That a member be appointed by the Vice President to fill the vacancy; and

Mr. Fitzpatrick was appointed.

On motion by Mr. Breese,

The Senate proceeded to consider the resolution, submitted the 13th instant, in relation to printing the report of the Commissioner of the General Land Office, and the resolution was agreed to.

The joint resolution (H. R. 53) authorizing a settlement of the accounts of Thomas M. Howe, late pension agent at Pittsburg, upon equitable principles, was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said joint resolution was read a third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The joint resolution (H. R. 47) for the purchase of copies of the General Navy Register and Laws, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Naval Affairs.

The bill (H. R. 216) for the relief of the legal representatives of Colonel Francis Vigo, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Revolutionary Claims.

The bill (H. R. 764) to establish the Home Department and to provide for the Treasury Department an assistant Secretary of the Treasury, and a Commissioner of the Customs, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Finance.

Mr. Fitzpatrick, from the Committee of Claims, to whom was referred the following bills:

H. R. 513. An act for the relief of Staunton W. Gaar,

H. R. 825. An act for the relief of Christopher H. Pix, of Texas;

reported the *same without* amendment.

Mr. Fitzpatrick, from the Committee of Claims, to whom was referred the bill (H. R. 589) for the relief of Thomas T. Gammage, reported it without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read the third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the resolution submitted by Mr. Webster, the 8th instant, which, having been modified on his motion, was agreed to, as follows:

Resolved, That the Committee on Commerce inquire into the expediency of providing by law for the taking of proper security, on the arrival of alien passengers in the United States who are diseased, or impotent, or paupers, or likely to become paupers, that such alien passengers shall not become a public charge, for support and maintenance, either in the ports and places at which they may arrive, or in any other part of the United States to which they may proceed; and that the Secretary of the Senate cause to be printed, as soon as may be, the opinions of the judges of the Supreme Court of the United States, in the cases lately decided of "Smith *vs.* Turner," and "Norris *vs.* the city of Boston," for the use of the Senate.

Mr. Rusk, from the Committee on the Post Office and Post Roads, to whom was referred the memorial of William A. Bradley and others, proposing to carry a weekly mail overland from St. Louis to the Pacific, submitted a report, accompanied by a bill (S. 467) to establish a mail route between such point in the valley of the Mississippi and such point in California, on the Pacific ocean, as the President of the United States may direct.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Johnson, of Louisiana, from the Committee on Private Land Claims, to whom was referred the memorial of Maria Taylor, submitted a report, accompanied by a bill (S. 468) for her relief.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Breese, from the Committee on Commerce, to whom the subject was referred, reported a bill (S. 469) to authorize the selection of a part of Rock island, in the Mississippi river, for the site of a marine hospital, and for other purposes; which was read, and passed to the second reading.

The joint resolution (S. 61) to secure a burying ground in Mexico for the use of the citizens of the United States, was read the second time.

Ordered, That it be referred to the Committee on Foreign Relations.

Agreeably to notice, Mr. King asked and obtained leave to bring

in a bill (S. 470) to extend the provisions of an act approved the 3d of March, 1847, for carrying into effect the existing compacts with the States of Alabama and Mississippi with regard to the five per cent. fund and school reservations; which was read the first and second times by unanimous consent, and referred to the Committee on Public Lands.

Agreeably to notice, Mr. Borland asked and obtained leave to bring in a bill (S. 471) for the further relief of the widows and orphans of officers and soldiers in the late war with Mexico; which was read the first and second times by unanimous consent, and referred to the Committee on Pensions.

Agreeably to notice, Mr. Houston asked and obtained leave to bring in a bill (S. 472) authorizing the Galveston and Red River Railway Company to construct and extend a railway to the coast of the Pacific ocean, in California; which was read the first and second times by unanimous consent, and referred to the Committee on Territories.

On motion by Mr. Hale, the Senate proceeded to consider the resolution, submitted the 16th instant, in relation to the consideration of private bills to the passage of which no objection shall be made; and,

On motion by Mr. Atherton,

Ordered, That it lie on the table.

Mr. Rusk, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled the following acts:

S. 20. An act for authenticating certain records.

S. 259. An act for the relief of Nehemiah Brush.

S. 386. An act continuing the pension granted to Patrick Walker.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the joint resolution (H.-R. 54) directing that the government of Russia be supplied with certain volumes of the Narrative of the Exploring Expedition in lieu of those which were lost at sea; in which they request the concurrence of the Senate.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1850, and for other purposes.

And after debate,

On motion by Mr. Butler,

The Senate adjourned.

MONDAY, February 19, 1849.

Mr. Dix presented a memorial of citizens of New York, praying such amendments to the patent laws as will secure to patentees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Dix presented a petition of citizens of New York, praying

that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. Dix presented the petition of Duncan Bradford and J. Sidney Henshaw, late professors of mathematics in the navy, praying to be allowed arrears of pay and the benefit of the act of March 3, 1801, granting four months extra pay to discharged officers; which was referred to the Committee on Naval Affairs.

Mr. Dix presented a petition of Hurl Gate pilots, steamboat captains, port wardens, and others, of the city of New York, praying that the light on Sands point may not be discontinued; which was referred to the Committee on Commerce.

Mr. Atchision presented a memorial of A. B. Ralph and others, citizens of the United States, praying that military escorts may be placed on the route between the valley of the Missiseippi and California, and a permanent military post established at some point convenient to the gold region in that territory; which was referred to the Committee on Military Affairs.

Mr. Davis, of Massachusetts, presented a petition of citizens of that State, paying that the rates of postage may be reduced and the franking privilege adolished.

Ordered, That it lie on the table.

Mr. Davis, of Massachusetts, presented the petition of the president of Amherst college, in that State, praying that a new and enlarged edition of the works of the exploring expedition may be published and copies deposited in the libraries of colleges and other public institutions; which was referred to the Committee on the Library, and ordered to be printed.

Mr. Bright presented a petition of citizens of Blackford county, Indiana, praying the establishment of a post office at Ransom's store, in that county, and a petition of citizens of Indiana, praying the establishment of a mail route from Smithfield to Montpelier in that State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Westcott presented the petition of the legal representatives of Henry Pawling, deceased, an officer in the revolutionary army, praying to be allowed commutation pay; which was referred to the Committee on Revolutionary Claims.

Mr. King presented the memorial of John C. Riddle, D. H. Carter, and E. Simonds, proposing to construct a turnpike road across the Isthmus of Panama, and praying that a contract may be entered into with them for transporting the mails and other property of the United States over said road; which was referred to the Committee on Military Affairs.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the petition of Thomas P. Harrison and A. T. H. Duvall, on the files of the Senate, be referred to the Committee on Private Land Claims.

On motion by Mr. Atchison,

Ordered, That the Committee on Indian Afiairs be discharged

from the further consideration of the petition of Thomas Snodgrass, and that it be referred to the Committee of Claims.

Mr. King submitted an additional document relating to the petition of Thomas Snodgrass; which was referred to the Committee of Claims.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of John Collins.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of Julia Martin, and that she have leave to withdraw her petition and papers.

Mr. Hale submitted the following resolution, which was considered, by unanimous consent, and agreed to:

Resolved, That the Committee on Commerce be instructed to inquire whether the laws regulating the coasting trade do not require some amendment or alteration to meet the case of vessels sailing to our Pacific coast.

Mr. Yulee presented resolutions passed by the Legislature of the State of Florida, declaring that Congress possesses no constitutional power to prohibit slavery in any territory belonging to the United States; and that any attempt on the part of Congress to abolish slavery in the District of Columbia, should be resisted by the south as an exercise of power not conferred by the constitution and a violation of the rights of that portion of the Union.

The resolutions were read, and

Ordered, That they be printed.

The joint resolution (H. R. 54) directing that the government of Russia be supplied with certain volumes of the Narrative of the Exploring Expedition, in lieu of those which were lost at sea, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on the Library.

Mr. Niles, from the Committee on the Post Office and Post Roads, to whom was recommitted the bill (S. 346) for the relief of Samuel F. Butterworth, reported it without amendment.

Mr. Felch, from the Committee on Pensions, to whom was referred the bill (H. R. 547) for the relief of Mary G. Leverett, reported it without amendment.

Mr. Downs, from the Committee on Private Land Claims, to whom was referred the bill (H. R. 759) for the relief of Charles McLane, of Missouri, reported it without amendment.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the resolution of the Senate (60) to defray the expenses of certain Chippewa Indians and their interpreters.

The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the three enrolled bills (S. 20, 259, 386) last reported to have been examined, and they were delivered

to the committee, to be presented to the President of the United States.

On motion by Mr. Douglas, that the previous orders be postponed for the purpose of considering the bill (S. 350) for the admission of California into the Union as a State,

It was determined in the negative, { Yeas ..... 16 / Nays 35

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bell, Breese, Bright, Dodge, of Iowa, Douglas, Downs, Fitzgerald, Fitzpatrick, Foote, Hale, Houston, Johnson, of Louisiana, Jones, King, Sebastian, Walker.

Those who voted in the negative are,

Messrs. Atherton, Badger, Baldwin, Benton, Berrien, Borland, Bradbury, Butler, Calhoun, Cameron, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dickinson, Dix, Felch, Greene, Hamlin, Hunter, Johnson, of Georgia, Mason, Miller, Niles, Pearce, Phelps, Spruance, Sturgeon, Turney, Underwood, Upham, Webster, Westcott, Yulee.

On motion by Mr. Niles, to reconsider the vote of the 21st of December last, rejecting the bill (S. 199) for the relief of Henry Vincent, administrator of the estate of James Lecaze; and

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Rusk, from the committee, reported that they had presented to the President of the United States, the 17th instant, the following acts:

S. 155. An act granting a pension to Bethiah Healy, widow of George Healy, deceased.

S. 360. An act to authorize the Secretary of War to make reparation for the killing of a Caddo boy by volunteer troops in Texas.

S. 163. An act to relinquish the reversionary interest of the United States in a certain Indian reservation in the State of Alabama.

H. R. 85. An act for the relief of William De Buys, late postmaster at New Orleans.

H. R. 190. An act for the relief of James P. Sexton and Joshua Holden.

H. R. 310. An act for the relief of Sarah D. Caldwell, wife of James H. Brigham.

H. R. 493. An act for the relief of Levi H. Corson, and for other purposes.

H. R. 696. An act making appropriations for the support of the military academy for the year ending the 30th of June, 1850.

H. R. 697. An act making appropriations for the payment of revolutionary and other pensions of the United States for the year ending the 30th of June, 1850.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States this day approved and signed the following acts:

S. 155. An act granting a pension to Bethiah Healy, widow of George Healy, deceased.

S. 163. An act to relinquish the reversionary interest of the United States in a certain Indian reservation in the State of Alabama.

S. 360. An act to authorize the Secretary of War to make reparation for the killing of a Caddo boy by volunteer troops in Texas.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1850, and for other purposes; and,

After debate,

On motion by Mr. Badger, that the Senate adjourn,

It was determined in the affirmative, { Yeas ..... 28 / Nays 17

On motion by Mr. Atherton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Berrien, Bright, Butler, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Fitzpatrick, Greene, Hamlin, Hunter, Johnson, of Georgia, King, Mason, Miller, Niles, Pearce, Rusk, Sebastian, Spruance, Turney, Upham, Walker, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Atherton, Baldwin, Borland, Bradbury, Breese, Cameron, Dickinson, Dix, Dodge, of Iowa, Douglas, Downs, Felch, Foote, Houston, Johnson, of Louisiana, Jones, Underwood.

So the Senate adjourned.

TUESDAY, February 20, 1849.

Mr. Benton presented the memorial of Charles G. Page, representing that he has discovered a mode of applying electro magnetic power to the purposes of navigation and locomotion, as a substitute for steam, and praying that an examination may be made into the merits of his discovery by a special committee of the Senate.

On motion by Mr. Benton,

Ordered, That a select committee of seven be appointed to examine the invention of Professor Page, of Washington city, in relation to a mode of applying electro magnectic power to the purposes of navigation and locomotion.

Ordered, That the committee be appointed by the Vice President; and

Mr. Benton, Mr. Phelps, Mr. Westcott, Mr. Berrien, Mr. Dix, Mr. Underwood, and Mr. King were appointed the committee.

Mr. Hale presented two petitions of the Pennsylvania Society for promoting the abolition of slavery, praying the abolition of slavery and the slave trade in the District of Columbia, and that slavery may be excluded from the territories of the United States;

A memorial of the Kennet monthly meeting of the religious so-

ciety of Friends, in Chester county, Pennsylvania, praying the abolition of slavery in the District of Columbia, and all other places where Congress possesses exclusive jurisdiction;

Two petitions of citizens of Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia, and the prohibition of slavery in the territories belonging to the United States;

Two petitions of citizens and female inhabitants of Pennsylvania, praying the adoption of measures for the abolition of slavery throughout the United States;

A petition of citizens and female inhabitants of the State of Pennsylvania, praying that slavery may be excluded from the territory acquired from Mexico, that slavery may be abolished in the District of Columbia and all other places where Congress has exclusive jurisdiction, and that no State may hereafter be admitted into the Union whose constitution tolerates slavery.

The motion to receive the same being objected to,

Ordered, That it lie on the table.

Mr. Hale presented a petition of citizens of Pennsylvania, praying a grant of a quarter section of land to every actual settler, free of charge; which was referred to the Committee on Public Lands.

Mr. Hale presented a petition of citizens of Huntington county, Pennsylvania, praying that the rates of postage may be reduced and the franking privilege abolished, and that the election of postmasters, in certain cases, may be given to the people; which was referred to the Committee on the Post Office and Post Roads.

Mr. Cameron presented a petition of citizens of Philadelphia, Pennsylvania, praying the construction of an ice harbor in Delaware city; which was referred to the Committee on Commerce.

Mr. Cameron presented six petitions of citizens of Pennsylvania, praying such an increase of the duties on imports as will afford protection to the domestic industry of the country; which were referred to the Committee on Finance.

Mr. King presented the petition of Dennis Keenan, junior, praying a grant of land and the right of way for the construction of a railroad and magnetic telegraph from Point Isabel on the Gulf of Mexico, to the Pacific ocean; which was referred to the Committee on Military Affairs.

Mr. Baldwin presented the petition of Oliver Tucker, a revolutionary soldier, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Breese presented two petitions of citizens of Illinois, praying a grant of land to that State to aid in the construction of a railroad from the upper and lower Mississippi to Chicago.

Ordered, That they lie on the table.

Mr. Felch presented a petition of cttizens of Detroit, Michigan, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the memorial of James B. Moore and company.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of George G. West and Charles S. Riché.

Mr. Atherton submitted the following resolution for consideration:

Resolved, That the resolution setting apart Thursday of each week for the consideration of private bills be, and it is hereby, rescinded.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the following bills:

H. R. 684. An act to provide for carrying into execution, in part, the twelfth article of the treaty with Mexico, concluded at Guadalupe Hidalgo;

H. R. 746. An act to authorize the coinage of twenty dollar and one dollar gold pieces at the mint of the United States and its branches;

H. R. 786. An act to require the heads of bureaus and other officers at the seat government in examining and deciding upon claims arising out of the late war with Mexico to give preferences and priority in such examination to those belonging to and preferred by widows and orphans or their authorized agents; in which they request the concurrence of the Senate.

The President of the United States approved and signed, the 19th instant, the following bills:

H. R. 85. An act for the relief of William De Buys, late postmaster at New Orleans.

H. R 190. An act for the relief of James P. Sexton and Joshua Holden.

H. R. 310. An act for the relief of Sarah D. Caldwell, wife of James H. Brigham.

H. R. 493. An act for the relief of Levi H. Corson, and for other purposes.

H. R. 696. An act making appropriations for the support of the military academy for the year ending 30th of June, 1850.

H. R. 697. An act making appropriations for the payment of revolutionary and other pensions of the United States for the year ending the 30th of June, 1850.

The bill (H. R. 684) to provide for carrying into execution, in part, the twelfth article of the treaty with Mexico, concluded at Guadalupe Hidalgo, was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to the third reading.

The said bill was read a third time by unanimous consent.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill (H. R. 746) to authorize the coinage of twenty dollar and one dollar gold pieces at the mint of the United States and its branches, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Finance.

The bill (H. R. 786) to require the heads of bureaus and other officers at the seat of government in examining and deciding upon claims arising out of the late war with Mexico to give preference and priority in such examination to those belonging to and preferred by widows and orphans or their authorized agents, was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

Agreeably to notice, Mr. Dix asked and obtained leave to bring in a bill (S. 473) to continue the light at Sands Point, on Long Island; which was read the first and second times by unanimous consent, and referred to the Committee on Commerce.

Mr. Mason, from the Committee of Claims, to whom was referred the petition of Alexander Y. P. Garnett, submitted a report, accompanied by a bill (S. 474) for his relief.

The bill was read, and passed to the second reading.

Ordered, That the report be printed.

Mr. Mason presented a report of the board of regents of the Smithsonian Institution, made agreeably to law, showing the operations, expenditures, and condition of the Institution:

On motion by Mr. Mason,

Ordered, That it be printed, and that one thousand additional copies be furnished, of which five hundred copies be delivered to the secretary of the Institution for the use thereof.

Mr. Rusk, from the committee, reported that they had examined and found duly enrolled the following bills and joint resolutions:

H. R. 24. An act for the relief of George Newton.

H. R. 61. An act for the relief of Nancy Tompkins.

H. R. 62. An act for the relief of James Glynn and others.

H. R. 71. An act for the relief of Jesse Young.

H. R. 589. An act for the relief of Thomas Gammage.

H. R. 776. An act granting five years' half pay to certain widows and orphans of officers, non-commissioned officers, musicians, and privates, both regulars and volunteers.

S. 60. A resolution to defray the expenses of certain Chippewa Indians and their interpreter.

H. R. 6. A resolution for the relief of J. Mellville Gilliss and others.

H. R. 14. A resolution concerning the settlement of the accounts of William Speiden, purser in the navy of the United States.

H. R. 18. A resolution for the relief of H. M. Barney.

H. R. 50. A resolution for the relief of John B. Nevitt, of Adams county, Mississippi.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the joint resolution (H. R. 52) relative to evidence in applications for pensions by widows of deceased soldiers, under the act of July 21, 1848, reported it without amendment.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the bill (H. R. 436) for the relief of the legal owners of the ship James Mitchell; and that it be referred to the Committee of Claims.

Mr. Badger, from the Committee on Naval Affairs, to whom were referred the following bills:

H. R. 439. An act for the relief of Lot Davis;

H. R. 441. An act for the relief of William Gove;

reported them without amendment.

Mr. Fitzpatrick, from the Committee of Claims, to whom was referred the bill (H. R. 531) for the relief of James Moorehead, reported it with an amendment; which was read.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 699) making appropriations for the naval service for the year ending the 30th of June, 1850, reported it with amendments; which were read.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 686) making appropriations for certain fortifications of the United States for the year ending the 30th of June, 1850, reported it without amendment.

Mr. Yulee, from the Committee on Naval Affairs, to whom were referred the following bills and joint resolution:

H. R. 51. Joint resolution for the relief of pursers in the navy as to expenditures made in pursuance of orders during the war with Mexico;

H. R. 274. An act for the relief of William Butler;

H. R. 563. An act for the relief of Samuel Graves;

reported the same without amendment.

Mr. Miller, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 313) for the relief of John J. Young, a commander in the navy of the United States, reported it without amendment.

Mr. Felch, from the Committee on Pensions, to whom was referred the petition of Sarah Crandall, widow of James Coon, submitted a report, accompanied by a bill (S. 475) granting a pension to Sarah Crandall; which was read, and passed to a second reading.

Ordered, That the report be printed.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the petition of Alexander Montgomery, submitted a report, accompanied by a bill (S. 476) for the relief of Alexander Montgomery, captain and assistant quartermaster of the army; which was read, and passed to a second reading.

Ordered, That the report be printed.

The bill (S. 391) authorizing a patent to be issued to William Green, jun., was read the second time, and considered as in Com-

mittee of the Whole; and having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Cameron, to reconsider the vote of the Senate on the passing of the said bill.

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (S. 470) to extend the provisions of an act approved the 3d of March, 1847, for carrying into effect the existing compacts with the States of Alabama and Mississippi with regard to the five per cent. fund and school reservations, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 366) in addition to the act entitled "An act to incorporate the Washington, Alexandria, and Georgetown Steam-packet Company;" and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having six enrolled bills and five enrolled joint resolutions, I am directed to bring them to the Senate for the signature of their President:

The Vice President signed the six enrolled bills (H. R. 24, 61, 62, 71, 589, 766) and the five enrolled resolutions, (S. 60, H. R. 14, 18, 50, 53,) this day reported to have been examined, and they were delivered to the committee, to be presented to the President of the United States.

Mr. Fitzgerald reported, from the committee, that they had this day presented to the President of the United States the following enrolled bills and joint resolutions:

S. 20. An act for authenticating certain records.

S. 259. An act for the relief of Nehemiah Brush.

S. 386. An act continuing the pension granted to Patrick Walker.

H. R. 24. An act for the relief of George Newton.
H. R. 61. An act for the relief of Nancy Tompkins.
H. R. 62. An act for the relief of James Glynn and others.
H. R. 71. An act for the relief of Jesse Young.
H. R. 589. An act for the relief of Thomas Gammage.
H. R. 776. An act granting five years' half pay to certain widows and orphans of officers, non-commissioned officers, musicians, and privates, both regulars and volunteers.
S. 60. A resolution to defray the expenses of certain Chippewa Indians and their interpreter.
H. R. 6. A resolution for the relief of Melville Gilliss and others.
H. R. 14. A resolution concerning the settlement of the accounts of William Speiden, purser in the navy of the United States.
H. R. 18. A resolution for the relief of H. M. Barney.
H. R. 50. A resolution for the relief of John B. Nevitt, of Adams county, Mississippi.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1850, and for other purposes.

And, after debate,

On motion,

The Senate adjourned.

WEDNESDAY, February 21, 1849.

Mr. Johnson, of Georgia, presented the memorial of John Whitesides, praying the payment of a certain post office draft; which was referred to the Committee on the Post Office and Post Roads.

Mr. Dayton presented a memorial of citizens of Rahway, New Jersey, praying such amendments to the patent laws as will secure to patentees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Dayton presented a memorial of citizens of Pennsylvania, praying the erection of piers and harbors in the Delaware river and bay:

Ordered, That it lie on the table.

Mr. Hale presented a petition of the New Garden monthly meeting of Friends of Chester county, Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia and the prohibition of slavery in the territories belonging to the United States; and a petition of the Sadsbury monthly meeting of Friends of Lancaster county, Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia and the prohibition of slavery in the territories belonging to the United States.

The motion to receive the petitions being objected to,

Ordered, That the motion lie on the table.

Mr. Hale presented a petition of citizens of Massachusetts, praying that the public domain may be granted in limited quantities to actual settlers; which was referred to the Committee on Public Lands.

Mr. Yulee presented a petition of citizens of Manatee, Florida, praying the establishment of a mail route from that place to Tampa, in said State; which was referred to the Committee on the Post Office and Post Roads.

Mr. Westcott submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of State be directed to report to the Senate the circumstances within his knowledge attending the appointment of Leonard D. Gale as examiner in the Patent Office, with copies of all papers in his office relating thereto.

Mr. Mason submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to furnish to the Senate a copy of the official journal of the march of Lieutenant Colonel Philip St. George Cooke from Santa Fé, in New Mexico, to St. Diego, in upper California, which was communicated to that department by Brigadier General Stephen W. Kearny, deceased.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled joint resolution, (H. R. 6,) I am directed to bring it to the Senate for the signature of their President.

The Vice President signed the enrolled resolution (H. R. 6) last reported to have been examined; and it was delivered to the committee, to be presented to the President of the United States.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom were referred the following bills:

H. R. 202. An act for the relief of William Blake;

R. R. 560. An act for the relief of Gardner Herring; reported the same without amendment, and that they ought not to pass.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom were referred the following bills:

H. R. 455. An act for the relief Warren Raymond;

H. R. 457. An act for the relief of Philip Miller;

H. R. 561. An act for the relief of David Murphy;

H. R. 609. An act for the relief of Eve Boggs;

H. R. 610. An act for the relief of Hannah Kinney, widow of Amos Kinney, late of the State of New York;

H. R. 614. An act for the relief of Susanna Prentiss;

H. R. 616. An act for the relief of Sylvanus Blodget;

H. R. 617. An act for the relief of Aaron Stafford;

H. R. 619. An act for the relief of Hector Perkins;

H. R. 620. An act for the relief of Peter Myers;

H. R. 622. An act for the relief of Elizabeth S. Cobb;

H. R. 624. An act for the relief of Camfield Averill;

H. R. 680. An act for the relief of Levi M. Roberts;

H. R. 712. An act for the relief of James France; reported the same without amendment.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the petition of Robert M. Martin, submitted a

report accompanied by a bill (S. 477) for his relief; the bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Downs from the Committee on the Judiciary, to whom was referred the resolution in relation to the purchase of five hundred copies of White's new Recopilaçion, reported a joint resolution (S 62) respecting the procurement and publication of authentic information as to the laws of territories recently acquired from Mexico; which was read and passed to a second reading.

Mr. Underwood, from the Committee of Claims, to whom was referred the petition of Nathaniel Lewis, submitted an adverse report; which was ordered to be printed.

Mr. Underwood, from the Committee of Claims, to whom was referred the petition of Alexander R. McKee and Johnson Price, submitted a report accompanied by a bill (S. 478) for their relief; the bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Butler, from the Committee on the Judiciary, to whom was referred the joint resolution (H. R. 49) authorizing the Secretary of State to increase the number of copies of the laws of Congress annually distributed to the several States and Territories, reported it without amendment.

A message from the House of Representatives, by Mr. Campbell their Clerk:

Mr. President: The House of Representatives have passed the bill of the Senate (S. 470) to extend the provisions of an act approved the third of March, eighteen hundred and forty-seven, for carrying into effect the existing compacts with the States of Alabama and Mississippi, with regard to the five per cent. fund and school reservations, with an amendment, in which they request the concurence of the Senate.

They agree to the conference asked by the Senate on the disagreeing votes of the two Houses on the bill (S. 251) for the relief of the personal representative of William A. Slacum, deceased, and have appointed a committee of conference on their part.

They have passed bills and joint resolutions of the following titles:

H. R. 525. An act to establish an additional land office in the State of Missouri;

H. R. 532. An act to repeal the fifth, sixth and seventh clauses of the first section of the "act in addition to the several acts regulating the shipment and discharge of seamen, and the duty of consuls," approved July twenty, eighteen hundred and forty; and also to amend the "act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen," approved February twenty-eight, eighteen hundred and three;

H. R. 574. An act granting a half section of land for the use of schools within fractional townships nineteen south, of range eighteen west, county of Lowndes, State of Mississippi;

H. R. 772. An act for the relief of Jacob Zimmerman;

H. R. 773. An act for the relief of Major Charles Larrabee;

H. R. 43. Joint resolution for the distribution of the Official Register or Blue Book among the several States.

H. R. 55. Joint resolution authorizing the distribution of the "American Archives," under the direction of the Joint Committee on the Library, to literary institutions in the several States and Territories; in which bills and joint resolutions they request the concurrence of the Senate.

The bill (H. R. 525) to establish an additional land office in the State of Missouri, was read the first and second times by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time, by unanimous consent.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill (H. R. 532) to repeal the fifth, sixth, and seventh clauses of the first section of the "act in addition to the several acts regulating the shipment and discharge of seamen, and the duty of consuls," approved July twenty, eighteen hundred and forty, and also to amend the "act supplementary to the act concerning consuls and vice consuls and for the further protection of American seamen," approved February twenty-eight, eighteen hundred and three, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Commerce.

The bill (H. R. 574) granting a half section of land for the use of schools within fractional townships nineteen south, of range eighteen west, county of Lowndes, State of Mississippi, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Public Lands.

The bill (H. R. 772) for the relief of Jacob Zimmerman, and

The bill (H. R. 773) for the relief of Major Charles Larrabee, were read the first and second times by unanimous consent.

Ordered, That they be referred to the Committee on Pensions.

The joint resolution (H. R. 43) for the distribution of the Official Register or Blue Book among the several States, and

The joint resolution (H. R. 55) authorizing the distribution of the "American Archives," under the direction of the Joint Committee on the Library, to literary institutions in the several States and Territories, were read the first and second times by unanimous consent.

Ordered, That they be referred to the Committee on the Library.

Mr. Dix, from the Committee on Commerce, to whom was referred the bill (S. 473) to continue the light at Sands point, on Long island, reported it without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill last mentioned; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as *aforesaid.*

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 411) for changing the location of the land office in the Chippewa land district, was read the second time, and considered as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass, and that the title thereof be, "An act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin."

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, (S. 366,) I am directed to bring it to the Senate for the signature of their President.

Mr. Fitzgerald reported from the committee that they had examined and found duly enrolled the bill (S. 366) in addition to the act entitled "An act to incorporate the Washington, Alexandria, and Georgetown Steam-packet Company."

The Senate resumed, as in Committee of the Whole, the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1850, and for other purposes.

On motion by Mr. Walker, to amend the bill by adding thereto the following:

"SEC. 5. *And be it further enacted*, That the Constitution of the United States, and all and singular the several acts of Congress respecting the registering, recording, enrolling, or licensing ships or vessels, and the entry and clearance thereof, and the foreign and coasting trade and fisheries, and all the acts respecting the imposing and collecting of duties on imports, and all acts respecting trade and intercourse with the Indian tribes, and all acts respecting the public lands, or the survey or sale thereof, and all and singular the other acts of Congress of a public and general character, and the provisions whereof are suitable and proper to be applied to the territory west of the Rio del Norte, acquired from Mexico by the treaty of the second day of February, eighteen hundred and forty-eight, be, and the same are hereby, extended over, and given full force and efficacy in all said territory; and the President of the United States is hereby authorized to prescribe and establish all proper and needful rules and regulations (in conformity with the Constitution of the United States) for the enforcement of said laws in said territory, and for the preservation of order and tranquility, and the establishment of justice therein, and from time to time to modify or change the said rules and regulations in such manner as may seem to him discreet and proper; and to establish, temporarily, *such divisions*, districts, posts, offices, and all ar-

rangements proper for the execution of said laws; and appoint and commission such officers as may be necessary to administer such laws in said territories for such term or terms as he may prescribe, whose authority shall continue until otherwise provided by Congress—said officers to receive such compensation as the President may prescribe, not exceeding double the compensation heretofore paid to similar officers of the United States, or its territories, for like services; and to enable the same to be done, the sum of two hundred thousand dollars be appropriated out of any money in the treasury not otherwise appropriated."

A motion was made by Mr. Bell, to amend the said amendment by adding thereto the following:

"SEC. —. *And be it further enacted*, That Congress doth consent that all that portion of the territories of the United States acquired by the treaty of peace, friendship, limits, and settlement with the republic of Mexico, concluded February the second, eighteen hundred and forty-eight, which lies west of the Rio del Norte, and a line running due north from the head waters of the said river, until it strikes the forty-second parallel of north latitude, shall form one State, to be known and designated by the name and style of the 'State of California,' and the same, on the first day of October next, shall be received and admitted into this Union, as a new and entire member of the United States of America, is hereby admitted into the Union on an equal footing in all respects with the original States.

"SEC. —. *And be it further enacted*, That the acting governor of California, so soon as he shall be provided with a copy of this act to the end that the people may have an opportunity of establishing for themselves a constitution and republican form of government for said State prior to the first day of October next, shall immediately proceed to lay off the country, embraced within the limits of the proposed State, into convenient districts for the election of delegates to a convention for the purpose of forming a State constitution, and shall designate the time and place of holding the election in each district, appoint the officers to conduct the same, and prescribe the mode of making the return thereof, and shall apportion the delegates, fifty in all, among the several districts, as near as may be, according to the number of legal voters in each; and he shall also designate the time and place for the assembling of said convention. Every white mail inhabitant of said territory, being an actual resident of the proposed State, and having attained the age of twenty-one years, shall be entitled to vote at said election.

"SEC. —. *And be it further enacted*, That the United States reserve to themselves all right of property in the unappropriated lands and other property in the territories admitted into the Union as a State, by the preceding section of this bill (act) free from all taxes and assessments of every kind by said State; and also the power of disposing of the same, and of adjusting all claims and title to land derived under any foreign government, in such manner as *Congress* shall prescribe, and nothing contained in said sec-

tion shall be so construed as to limit and impair the rights and powers hereby reserved to the United States, in any manner whatsoever.

"SEC. —. *And be it further enacted*, That there shall be established in said State two judicial districts, to be known as the eastern and western districts of California, and all that portion of said State lying west of the Rio del Norte and the line running due north from the head waters of the same to the forty-second parallel of north latitude, and east of the —— meridian of west longitude from Washington, shall be the eastern district; and all that portion lying west of said meridian shall be the western district; and there shall be appointed a district judge for each of said districts, who shall be entitled to receive a salary of —— dollars each, and who shall hold three sessions of their respective courts annually; commencing in each district on the first Mondays of June, October, and February; the district judge of the eastern district, until otherwise provided by law, shall hold his court at ——, and the district judge of the western district at San Francisco; and said judges shall have the power and jurisdiction given by law to the judge of the district of Kentucky, under an act entitled 'An act to establish the judicial courts of the United States,' and an act in addition to 'an act to establish the judicial courts of the United States,' approved March 2, seventeen hundred and ninety three, and the acts supplementary thereto; said judges shall appoint their own clerk, who shall reside and keep the records of said courts at the places of holding the same, and shall receive for services performed by him the same fees to which the clerk of the district of Kentucky is entitled for similar services.

"SEC —. *And be it further enacted*, That there shall be appointed a marshal and district attorney for each of said districts; the marshals shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees, as are provided for and prescribed to marshals of other districts, and shall, in addition be entitled to the sum of two hundred dollars as a compensation for all extra services, and the district attorneys shall, in addition to their stated fees as now prescribed by law to other district attorneys, be paid annually two hundred dollars.

"SEC. —. *And be it further enacted*, That the said State of California, until the next census and apportionment, shall be entitled to two Representatives in the Congress of the United States."

And, on the question to agree to the amendment proposed by Mr. Bell,

It was determined in the negative, { Yeas ..... 4 / Nays ..... 39 }

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bell, Dodge, of Iowa, Douglas, Downs,

Those who voted in the negative are,

Messrs. *Atchison, Atherton*, Baldwin, Benton, Berrien, Bradbury, *Breese, Butler, Calhoun*, Clarke, Corwin, Davis, of Mississippi,

Dayton, Dickinson, Dix, Felch, Fitzgerald, Fitzpatrick, Foote, Greene, Hamlin, Houston, Hunter, Johnson, of Georgia, King, Mangun, Mason, Miller, Niles, Pearce, Phelps, Spruance, Sturgeon, Turney, Underwood, Upham, Walker, Westcott, Yulee.

On motion by Mr. Dayton,

The Senate adjourned.

THURSDAY, FEBRUARY 22, 1849.

The Vice President presented a report from the Secretary of the Treasury in relation to the warehousing system.

On motion by Mr. Dix,

Ordered, That it be printed, and that 10,000 additional copies be printed for the use of the Senate.

Mr. Webster presented a memorial of citizens of Springfield, Massachusetts, praying that the patent laws may be so amended as to secure to patentees the benefit of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Davis, of Mississippi, presented a petition of the commissioned officers of the third regiment of artillery, praying that the non-commissioned officers of that regiment may be placed on the same footing, as to certificates of merit, with other enlisted men of the army; which was referred to the Committee on Military Affairs.

Mr. Fitzpatrick presented the memorial of Perry E. Brocchus, in behalf of certain officers, non-commissioned officers, musicians, and privates, of the marine corps, who served in the late war with Mexico, praying that they may be allowed extra pay and bounty land; which was referred to the Committee on Naval Affairs.

Mr. Dickinson presented resolutions passed by the Legislature of the State of New York, in favor of the adoption of measures for giving effect to a resolution of Congress authorizing the erection of a monument to the memory of General Nicholas Herkimer, an officer in the revolutionary army.

Ordered, That they lie on the table and be printed.

On motion by Mr. Sturgeon,

Ordered, That Mary D. Wade have leave to withdraw her petition and papers.

Mr. Breese submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed to inquire into the expediency of granting to each non-commissioned officer, musician, and private, or the heirs of those who have died, who were in actual service six months or more in the army of the United States, or volunteers, or mounted rangers, during the war of 1812 with Great Britain, a quantity of land, as bounty, not exceeding one hundred and sixty acres.

Mr. Johnson, of Louisiana, submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be instructed to communicate to the Senate a copy of the official report of Captain Mervine, of the United States navy, relative to the battle of St.

Clara, and the subsequent surrender of the insurgents to the forces under Captain Ward Marston, of the United States marine corps, which resulted in the quelling of the insurrection in north California; and also a copy of the correspondence between the said Captain Mervine and Captain Ward Marston, together with a copy of the general order issued by Captain Mervine on the return of the expedition to Yerba Buena, California.

Mr. Breese submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Naval Affairs be instructed to inquire into the expediency of granting three months' extra pay to all the officers, warrant and petty officers, ordinary seamen, landsmen, and marines, engaged in actual service in the war with Mexico, in the Gulf of Mexico and Pacific ocean, and adjacent coasts.

Mr. Atherton submitted the following resolution for consideration:

Resolved, That the Senate will to-day take a recess from four o'clock, p. m., until six o'clock, p. m.

Mr. Clarke submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire whether the contract made with Edward Mills, by the Postmaster General, for the transportation of the mail between the United States and Bremen, under the authority of the act to provide for the transportation of the mail between the United States and foreign countries, approved March 3, 1845, has been executed according to its terms by said Mills, and whether it is expedient to continue said contract beyond the period of five years, to which it is now limited by its terms.

Mr. Douglas submitted the following resolution for consideration:

Resolved, That hereafter the hour of meeting of the Senate shall be eleven o'clock.

Mr. Pearce submitted the following resolution for consideration:

Resolved, That the Secretary of the Treasury be directed to communicate to the Senate whether additional rooms are needed for the use of the government, for the safe custody of its archives and for the transaction of business connected with the several departments, and whether, in his opinion, the building on the corner of F and 17th streets, belonging to William H. Winder, is suitable for such purposes, and whether it is expedient to purchase said building, if the same can be had for a reasonable price.

On motion by Mr. Yulee,

Ordered, That John Collins have leave to withdraw his petition and papers.

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 507) for the relief of William Tee, of Portsmouth, Virginia, reported it without amendment, and submitted an adverse report on the subject; which was ordered to be printed.

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred the memorial of the heirs of William Flannigan and William Parsons, submitted an adverse report; which was ordered to be printed.

On motion by Mr. Westcott,

Ordered, That the report of the Secretary of the Treasury, accompanied by a report of the superintendent of the coast survey in relation to the survey of the coast of Florida, and its keys and reefs, be referred to the Committee on Commerce.

Mr. Borland, from the Committee on Public Lands, to whom was referred the petition of the widow and heirs of Henry Perrine, reported a bill (S. 479) for their relief; which was read and passed to a second reading.

Mr. Breese, from the Committee on Public Lands, to whom was referred the petition of S. Woods, reported "that the prayer of the petitioner be not granted."

Mr. Breese, from the Committee on Public Lands, to whom were referred the following bills:

S. 142. A bill to amend an act entitled "An act to provide for the punishment of offences committed in cutting, destroying, or removing live-oak and other timber or trees reserved for naval purposes," approved the 2d of March, 1831;

S. 184. A bill to cede to the State of Alabama the lands unsold in that State, belonging to the United States, and remaining unsold after the 1st day of May, 1848, and for other purposes;

S. 389. A bill for the relief of Samuel J. Bayard, late receiver at Fairfield, Iowa; reported the same without amendment, and that they ought not to pass.

Mr. Breese, from the Committee on Public Lands, to whom were referred the following bills:

S. 368. A bill for the relief of Elisha Hampton and others, of Iowa;

H. R. 574. An act granting a half section of land for the use of schools within fractional township 19 south, of range 18 west, county of Lowndes, State of Mississippi; reported the same without amendment.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 746) to authorize the coinage of twenty-dollar and one-dollar gold pieces at the mint of the United States and its branches, reported it with amendments; which were read.

Mr. Baldwin, from the Committee on Pensions, to whom was referred the bill (H. R. 548) for the relief of Mary Buck, reported it without amendment.

Mr. Johnson, of Louisiana, to whom was referred the bill (H. R. 621) for the relief of Captain Alexander McEwen, reported it without amendment.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills of the following titles:

H. R. 745. An act to regulate the mileage of members and delegates in Congress, and for other purposes;

H. R. 344. An act to transfer the towns of Vinal Haven, North Haven, and Islesboro from the collection district of Penobscot to that of Belfast, in the State of Maine;

H. R. 526. An act to grant pre-emption rights for certain islands in the Great Miami river;

H. R. 734. An act to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein; in which they request the concurrence of the Senate.

Mr. Rusk reported, from the committee, that they had examined and found duly enrolled the following bills:

H. R. 525. An act to establish an additional land office in the State of Missouri.

H. R. 684. An act to provide for carrying into execution, in part, the twelfth article of the treaty with Mexico, concluded at Gaudalupe Hidalgo.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (S. 56) authorizing the Secretary of War to furnish arms and ammunition to persons emigrating to the territories of Oregon, California, and New Mexico; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed two enrolled bills, (H. R. 525, 684,) I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the two enrolled bills (H. R. 525, 684) last reported to have been examined, and they were delivered to the committee, to be presented to the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 530) for the relief of James Y. Smith; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 272) for the relief of Manuel X. Harmony; and, having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That this bill be engrossed and read a third time.

The said *bill was read* a third time.

On the question, "Shall this bill pass?"

It was determined in the affirmative, { Yeas ..... 25 / Nays 19

On motion by Mr. Breese,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Benton, Clarke, Davis, of Massachusetts, Dickinson, Dix, Dodge, of Iowa, Douglas, Fitzpatrick, Foote, Greene, Hale, Hamlin, Houston, Johnson, of Louisiana, Jones, Mangum, Mason, Miller, Rusk, Underwood, Upham, Webster, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atherton, Berrien, Bradbury, Breese, Bright, Butler, Calhoun, Davis, of Mississippi, Downs, Felch, Fitzgerald; Johnson, of Georgia, King, Niles, Phelps, Spruance, Walker, Yulee.

So it was

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The Senate proceeded to consider as in Committee of the Whole the bill (S. 221) authorizing the renewal of a patent for the benefit of the widow and heirs-at-law of Timothy P. Anderson, deceased; and, having been amended, it was reported to the Senate and the amendment was concurred in.

Ordered, That this bill be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 283) for the relief of John Hibbert; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The bill (S. 333) for the relief of the heirs and legal representatives of Joseph McAffee, deceased; was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

The following bills were read the second time, and considered as in Committee of the Whole:

S. 223. A bill for the relief of John McIntosh;

S. 224. A bill for the relief of A. H. Cole;

S. 225. A bill to provide for the final settlement of the accounts of Thomas C. Sheldon, late receiver of public moneys at Kalamazoo, Michigan;

S. 227. A bill to provide for the final settlement of the accounts of Abraham Edwards, register of the land office at Kalamazoo, Michigan;

S. 231. A bill for the relief of William Greer;

S. 237. A bill for the relief of Eugene Van Ness and John M. Brush, executors of Nehemiah Brush; and no amendment being made, they were reported to the Senate.

Ordered, That they be engrossed and read a third time.

The said bills were read a third time.

Resolved, That they pass, and that their titles be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 226) for the relief of Robert C. Rogers; was read the second time, and considered as in Committee of the Whole, and, having been amended, it was reported to the Senate; and the amendments were concurred in.

Ordered, That this bill be engrossed and read a third time.

The bill (S. 235) for the relief of William Lee, was read the second time and considered as in Committee of the Whole; and, having been amended, it was reported to the Senate; and the amendment was concurred in.

On the question, "Shall this bill be engrossed and read a third time?"

It was determined in the negative.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 45) for the relief of the heirs and legal representatives of Rignald, alias, Nick Hillary; and no amendment being made, it was reported to the Senate.

On motion by Mr. King,

Resolved, That it be postponed indefinitely.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Pearce, from the Committee on the Library, to whom was referred the joint resolution (H. R. 54) directing that the government of Russia be supplied with certain volumes of the Narrative of the Exploring Expedition, in lieu of those which were lost at sea, reported it with an amendment; which was read.

On motion by Mr. Pearce,

The Senate proceeded to consider, as in Committee of the Whole, the said resolution; and, having been amended, it was reported to the Senate; and the amendment was concurred in.

Ordered, That the amendment be engrossed, and the resolution read a third time.

The said resolution was read a third time as amended; and the title was amended.

Resolved, That this resolution pass, with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The bill (S. 238) for the relief of Gad Humphreys, was read the second time, and considered as in Committee of the Whole; and,

On motion by Mr. Badger,

The Senate adjourned.

FRIDAY, February 23, 1849.

Mr. Walker presented a petition of citizens of Ceresco, Wisconsin, praying that the rates of postage may be reduced and the franking privilege abolished.

Ordered, That it lie on the table.

Mr. King presented the memorial of William A. Campbell, surviving partner of James C. Watson, deceased, praying indemnity for loss sustained in consequence of the refusal of the officers of the government to surrender certain slaves purchased by them from the Creek Indians; which was referred to the Committee on Indian Affairs.

Mr. Dickinson presented the petition of James Hamilton, praying that an appropriation may be made for the purpose of testing the merits of a machine invented by him for sawing timber into curves and bevels suitable for ship-building; which was referred to the Committee on Naval Affairs.

Mr. Foote presented a memorial of citizens of Mississippi, praying a grant of public land to aid in the construction of the Mobile and Ohio Railroad; which was referred to the Committee on Public Lands.

Mr. Sturgeon presented the proceedings of the directors of the Philadelphia Board of Trade, approving the manner in which the operations of the coast survey are conducted, and in favor of liberal appropriations of money for the prosecution of the work as at present organized.

Ordered, That they lie on the table.

Mr. Atchison presented a memorial of the Legislature of the State of Missouri, praying a grant of land for the construction of the Hannibal and St. Joseph Railroad; which was referred to the Committee on Public Lands.

Mr. Atchison presented a memorial of citizens of the United States, residing in the valley of the Mississippi, praying that military escorts may be placed on the route between that valley and California, and that a permanent military post may be established at some point convenient to the gold region in that territory; which was referred to the Committee on Military Affairs.

On motion by Mr. Fitzpatrick,

Ordered, That Adam Hall have leave to withdraw his petition and papers.

Mr. Clarke submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Military Affairs be instructed *to inquire into the* expediency of repealing the eleventh section of

"an act making provision for an additional number of general officers, and for other purposes," approved March 3, 1847, and that the Committee report by bill or otherwise.

Mr. Sebastian submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Senate be hereby directed to deliver to the Commissioner of Patents, for the use of the Patent Office, five hundred copies of the ten thousand copies of the report of the commissioner on the explosion of steam-boilers, ordered to be printed at the present session.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills of the following titles:

H. R. 791. An act declaring Fort Covington, in the State of New York, to be a port of delivery, and for other purposes;

H. R. 792. An act exempting Spanish vessels from discriminating duties in certain cases; in which they request the concurrence of the Senate.

The Senate proceeded to consider the resolution submitted by Mr. Pearce, the 22d instant, relating to the purchase of a certain building in the city of Washington for the use of the government; and the resolution was agreed to.

Mr. Fitzgerald reported from the committee that they had examined, and found duly enrolled, the following bills:

S. 366. An act in addition to an act entitled "An act to incorporate the Washington, Alexandria, and Georgetown Steam Packet Company."

H. R. 283. An act for the relief of John Hibbert.

H. R. 530. An act for the relief of James Y. Smith.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the bill (H. R. 613) for the relief of Martha Dameron, widow of Christopher Tompkins, and that it be referred to the Committee on Revolutionary Claims.

On motion by Mr. Yulee,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the petition of Calvin Blythe, executor of Jesse D. Elliott.

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred the petition of Charles Colburn, submitted an adverse report; which was ordered to be printed.

Mr. Hunter, from the Committee on Finance, to whom the memorials on the subject were referred, reported a bill (S. 480) to remit or refund duties upon goods, wares, and merchandise destroyed by fire; which was read and passed to the second reading.

Mr. Hunter also submitted a report on the subject; which was read and ordered to be printed.

Mr. Walker, from the Committee to audit and Control the Contingent expenses of the Senate, to whom was referred the resolution to authorize the appointment of Noah Hanson, reported it *without amendment.*

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 438) for the relief of Edward Myers, reported it without amendment.

Agreeably to notice, Mr. Rusk asked and obtained leave to bring in a joint resolution (S. 63) providing for a branch mint at San Francisco, California; which was read the first and second times, by unanimous consent.

Ordered, That it be referred to the Committee on Finance.

Mr. Bradbury, from the Committee of Claims, to whom was referred the petition of Robert Sewall, submitted a report accompanied by a bill (S. 481) for the relief of the heirs and representatives of the late Robert Sewall.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Baldwin, from the Committee of Claims, to whom was referred the bill (H. R. 569) for the relief of the president and directors of the Union Bank of Florida, reported it without amendment.

Mr. Upham, from the Committee on Revolutionary Claims, to whom was referred the bill (H. R 185) for the relief of the grandchildren of Major General Baron De Kalb, reported it with an amendment; which was read.

Agreeably to notice, Mr. Underwood asked and obtained leave to bring in a joint resolution (S. 64) proposing amendments to the constitution; which was read and passed to a second reading.

Ordered, That it lie on the table, and be printed.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I communicate, herewith, a report of the Secretary of State, together with the accompanying documents, in compliance with a resolution of the Senate, of the 23d ultimo, requesting the President "to transmit to the Senate, so far as is consistent with the public service, any corrrspondence between the Department of State and the Spanish authorities in the island of Cuba, relating to the imprisonment in said island of William Henry Rush, a citizen of the Untied States."

JAMES K. POLK.

WASHINGTON, *February* 23, 1849.

The message was read.

Ordered, That it be printed, with the accompanying documents.

The bill (H. R. 526) to grant pre-emption rights for certain islands in the Great Miami river, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Public Lands.

The bill (H. R. 745) to regulate the mileage of members and delegates in Congress, and for other purposes, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on the Post Office *and Post Roads.*

The bill (H. R. 344) to transfer the towns of Vinal Haven, North Haven, and Islesboro, from the collection district of Penobscot to that of Belfast, in the State of Maine; and

The bill (H. R. 734) to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein, were read the first and second times by unanimous consent.

Ordered, That they be referred to the Committee on Commerce.

On motion by Mr. Bradbury, the Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 214) for the relief of Noah A. Phelps; and

Ordered, That it be recommitted to the Committee of Claims.

The bill (S. 345) for the relief of John Crawford was read a second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the joint resolution (S. 52) respecting the bounty lands and extra pay allowed to the substitutes of men enlisted for the Mexican war, reported it with an amendment; which was read.

The Senate proceeded to consider the said resolution as in Committee of the Whole, and having been amended, it was reported to the Senate; and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time.

Resolved, That this resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 359) for the relief of A. C. Bryan and others; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 470) to extend the provisions of an act approved the 3d of March, 1847, for carrying into effect the existing compacts with the States of Alabama and Mississippi with regard to the five per cent. fund and school reservations; and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Yulee, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 438) for the relief of Edward Myers, reported it without amendment.

Agreeably to notice, Mr. Rusk asked and obtained leave to bring in a joint resolution (S. 63) providing for a branch mint at San Francisco, California; which was read the first and second times, by unanimous consent.

Ordered, That it be referred to the Committee on Finance.

Mr. Bradbury, from the Committee of Claims, to whom was referred the petition of Robert Sewall, submitted a report accompanied by a bill (S. 481) for the relief of the heirs and representatives of the late Robert Sewall.

The bill was read and passed to a second reading.

Ordered, That the report be printed.

Mr. Baldwin, from the Committee of Claims, to whom was referred the bill (H. R. 569) for the relief of the president and directors of the Union Bank of Florida, reported it without amendment.

Mr. Upham, from the Committee on Revolutionary Claims, to whom was referred the bill (H. R 185) for the relief of the grandchildren of Major General Baron De Kalb, reported it with an amendment; which was read.

Agreeably to notice, Mr. Underwood asked and obtained leave to bring in a joint resolution (S. 64) proposing amendments to the constitution; which was read and passed to a second reading.

Ordered, That it lie on the table, and be printed.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I communicate, herewith, a report of the Secretary of State, together with the accompanying documents, in compliance with a resolution of the Senate, of the 23d ultimo, requesting the President "to transmit to the Senate, so far as is consistent with the public service, any corrrspondence between the Department of State and the Spanish authorities in the island of Cuba, relating to the imprisonment in said island of William Henry Rush, a citizen of the Untied States."

JAMES K. POLK.

WASHINGTON, *February* 23, 1849.

The message was read.

Ordered, That it be printed, with the accompanying documents.

The bill (H. R. 526) to grant pre-emption rights for certain islands in the Great Miami river, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Public Lands.

The bill (H. R. 745) to regulate the mileage of members and delegates in Congress, and for other purposes, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on the Post Office *and Post Roads.*

The bill (H. R. 344) to transfer the towns of Vinal Haven, North Haven, and Islesboro, from the collection district of Penobscot to that of Belfast, in the State of Maine; and

The bill (H. R. 734) to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein, were read the first and second times by unanimous consent.

Ordered, That they be referred to the Committee on Commerce.

On motion by Mr. Bradbury, the Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 214) for the relief of Noah A. Phelps; and

Ordered, That it be recommitted to the Committee of Claims.

The bill (S. 345) for the relief of John Crawford was read a second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the joint resolution (S. 52) respecting the bounty lands and extra pay allowed to the substitutes of men enlisted for the Mexican war, reported it with an amendment; which was read.

The Senate proceeded to consider the said resolution as in Committee of the Whole, and having been amended, it was reported to the Senate; and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time.

Resolved, That this resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 359) for the relief of A. C. Bryan and others; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 470) to extend the provisions of an act approved the 3d of March, 1847, for carrying into effect the existing compacts with the States of Alabama and Mississippi with regard to the five per cent. fund and school reservations; and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

The bill (H. R. 786) to require the heads of bureaus and other officers at the seat of government, in examining and deciding upon claims arising out of the late war with Mexico, to give preference and priority in such examination to those belonging to and preferred by widows and orphans or their authorized agents, was read the third time.

On motion by Mr. Pearce,

Ordered, That it lie on the table.

A message from the President of the United States by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, the 22d instant, the following bills and joint resolution, which originated in the Senate:

S. 20. An act for authenticating certain records.

S. 259. An act for the relief of Nehemiah Brush.

S. 386. An act continuing the pension granted to Patrick Walker.

S. 60. A resolution to defray the expenses of certain Chippewa Indians and their interpreter.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the three enrolled bills last reported to have been examined, (S. 366, H. R. 283, and 530,) and they were delivered to the committee, to be presented to the President of the United States.

On motion by Mr. Atherton,

The Senate proceeded to consider the resolution, submitted the 22d instant, "that the Senate will to-day take a recess from four o'clock, p. m., until six o'clock, p. m.; and

On the question to agree thereto,

It was determined in the negative, { Yeas..... 18 / Nays..... 28 }

On motion by Mr. Atherton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atherton, Bradbury, Breese, Clarke, Dickinson, Dix, Douglas, Downs, Fitzgerald, Foote, Johnson, of Louisiana, Mangum, Niles, Rusk, Spruance, Sturgeon, Underwood, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atchison, Baldwin, Berrien, Borland, Bright, Butler, Calhoun, Corwin, Davis, of Mississippi, Dayton, Felch, Fitzpatrick, Greene, Hamlin, Houston, Hunter, Johnson, of Maryland, Johnson, of Georgia, King, Mason, Miller, Pearce, Sebastian, Turney, Upham, Webster, Yulee.

So the resolution was rejected.

The Senate resumed, as in Committee of the Whole, the consid-

eration of the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1850, and for other purposes;

And, after debate,

On motion,

The Senate adjourned.

SATURDAY, February 24, 1849.

The Vice President laid before the Senate the credentials of the Honorable William H. Seward, elected a Senator by the Legislature of the State of New York for six years from the fourth day of March, eighteen hundred and forty-nine; which were read.

Mr. Jones presented a memorial of the Trustees of the Branch University, at Fairfield, Iowa, praying a grant of public land for the use of that institution; which was referred to the Committee on Public Lands.

Mr. Atchison presented the petition of the chief of the Kickapoo and Pottawatomie tribes of Indians, praying that the annuities due the latter tribe may be paid, and that they may not be required to emigrate from their present homes; which was referred to the Committee on Indian Affairs.

Mr. Atchison presented the petition of Parkerson Hocher, a volunteer in the Seminole war, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. Corwin presented a petition of citizens of Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia, and the prohibition of slavery in the territories belonging to the United States.

The motion to receive the petition being objected to;

Ordered, That the motion lie on the table.

Mr. Corwin presented a petition of citizens of Iowa, praying the establishment of a land office at Red Rock, in that State; which was referred to the Committee on Public Lands.

Mr. Corwin presented a petition of citizens of Pennsylvania, praying that the ordinance of 1787 may be adopted in the organization of territorial governments by the United States.

The motion to receive the petition being objected to;

Ordered, That the motion lie on the table.

Mr. King presented the memorial of James C. Watson, praying indemnity for loss sustained in consequence of the failure of the officers of the government to surrender certain negroes purchased by him from the Creek Indians; which was referred to the Committee on Indian Affairs.

Mr. King submitted additional documents relating to the memorial of John C. Riddle, D. A. Carter, and E. Simonds; which were referred to the Committee on Military Affairs.

Mr. King presented a petition of citizens of Alabama, praying that the State of Alabama may be divided into two judicial districts; which was referred to the Committee on the Judiciary.

Mr. Niles, from the Committee to Audit and Control the Con-

tingent Expenses of the Senate, to whom were referred the resolutions of the 19th December and 30th January last, relative to publishing the debates of the Senate, reported the following resolution:

Resolved, That the resolution of the Senate of the eleventh day of August, 1848, directing the Secretary of the Senate to contract with the publishers of the two principal newspapers in this city for reporting and publishing the debates and proceedings of the Senate, be so modified as to exclude, after the adoption of this resolution, from any contract which has or may hereafter be made in pursuance of said resolution, the publication of revised speeches, a report of which has once been published; and also to exclude from the report of the proceedings of the Senate messages and reports from executive officers of the government, and from committees of the Senate; and that the Secretary notify the persons with whom he has entered into contracts of these limitations and modifications of said resolution.

On motion by Mr. Niles,

The Senate, by unanimous consent, proceeded to consider the resolution, and agreed thereto.

Mr. Pearce, from the Committee on the Library, to whom was referred the joint resolution (H. R. 43) for the distribution of the official Register or Blue Book among the several States, reported it without amendment.

The Senate proceeded to consider the resolution last mentioned as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said resolution was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill (S. 226) for the relief of Robert C. Rogers, was read the third time.

On the question "Shall this bill pass?"

On motion by Mr. Borland,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Borland, from the Committee on Public Lands, to whom was referred a memorial of the Legislature of Arkansas on the subject, reported a bill (S. 482) making a donation of land for the benefit of the Clarksville Institute for the education of the blind, and other purposes of education in the State of Arkansas; which was read, and passed to a second reading.

Agreeably to notice, Mr. Fitzgerald asked and obtained leave to bring in a joint resolution (S. 65) to confer upon Major General Winfield Scott the brevet rank of lieutenant general; which was read, and passed to a second reading.

Mr. Rusk reported, from the committee, that they had examined and found duly enrolled the bill S. 470. An act to extend the provisions of an act approved the 3d of March, 1847, for carrying into

effect the existing compacts with the States of Alabama and Mississippi with regard to the five per cent. fund and school reservations.

The bill (H. R. 791) declaring Fort Covington, in the State of New York, to be a port of delivery, and for other purposes, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Commerce.

The bill (H. R. 792) exempting Spanish vessels from discriminating duties in certain cases, was read the first and second times by unanimous consent.

Ordered, That it be referred to the Committee on Finance.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The President of the United States approved and signed, the 22d instant, the following bills and joint resolutions:

H. R. 24. An act for the relief of George Newton.

H. R. 61. An act for the relief of Nancy Tompkins.

H. R. 62. An act for the relief of James Glynn and others.

H. R. 71. An act for the relief of Jesse Young.

H. R. 589. An act for the relief of Thomas Gammage.

H. R. 776. An act granting five years' half pay to certain widows and orphans of officers, non-commissioned officers, musicians, and privates, both regulars and volunteers.

H. R. 14. Joint resolution concerning the settlement of the accounts of William Speiden, purser in the navy of the United States.

H. R. 18. Joint resolution for the relief of H. M. Barney.

H. R. 50. Joint resolution for the relief of John B. Nevitt, of Adams county, Mississippi.

H. R. 53. Joint resolution authorizing a settlement of the accounts of Thomas M. Howe, late pension agent at Pittsburg, upon equitable principles.

The House of Representatives have passed bills of the following titles:

H. R. 635. An act to aid the State of Louisiana in draining the swamp lands therein.

H. R. 754. An act making appropriations for the service of the Post Office Department for the year ending the 30th of June, 1850.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of their President.

The Vice President signed the enrolled bills reported to have been examined and signed, (S. 366, 470, H. R. 525, 684,) and they were delivered to the committee, to be presented to the President of the United States.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1850, and for other purposes; and, after debate,

On motion by Mr. Atchison,

The Senate adjourned.

MONDAY, FEBRUARY 26, 1849.

Mr. Spruance presented the credentials of the honorable *John* Vales, elected a Senator by the Legislature of the State of Del- are, to fill the vacancy occasioned by the resignation of the hon- able John M. Clayton; which were read, and the oath prescribe- y law was administered to Mr. Wales, and he took his seat in the enate.

The Vice President laid before the Senate a report of the Sec- tary of the Navy, in compliance with a resolution of the Senate f the 8th instant, communicating a report by Lieutenant William . Lynch, of the United States navy, of an examination of the ead Sea; which was read.

Mr. Miller presented a resolution, passed by the Legislature of ie State of New Jersey, in favor of appropriations by Congress or the erection of a light-house at the mouth of Maurice river and eacon lights in Newark bay:

Ordered, That it lie on the table.

Mr. Dickinson presented the memorial of Edwin Williams, pray- g the patronage of the government for a work prepared by him ontaining a compilation of the messages of the Presidents of the nited States and other public documents from the formation of ie federal government, in 1789, to the present time; which was ferred to the Committee on the Library.

M. Dickinson presented the memorial of William K. Ashard, aying compensation for the use by the United States of his in- ention of a cannon lock and primer; which was referred to the ommittee on Naval Affairs.

Mr. Dix presented a memorial of citizens of Attica, New York, aying that a law may be passed authorizing Hartwell Carver and is associates to construct a railroad from Lake Michigan or the ississippi river to the Pacific ocean; which was referred to the ommittee on Military Affairs.

Mr. Dix presented a petition of citizens of Toledo, Ohio, praying ie establishment of a reciprocal free trade between the United ates and Canada:

Ordered, That it lie on the table.

Mr. Dix presented the memorial of Charles Wilkes, an officer in ie navy, praying to be indemnified for expenses incurred in de- nding suits instituted against him on account of certain official ts while in command of the exploring expedition, and to be al- wed extra pay for the scientific duties performed by him whilst gaged in the said expedition; which was referred to the Com- ittee on Naval Affairs.

Mr. Bradbury submitted the following resolution for considera- on:

Resolved, That the rules of the Senate be so far amended that, for ie residue of the present session, a vote to lay an amendment on the table shall not carry with it the bill or resolution pro- osed to be amended.

Mr. Atherton submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That on this day and each succeding day during the present session, the Senate will take a recess from four o'clock, p. m., until six o'clock, p. m.

Mr. Dodge, of Wisconsin, presented resolutions, passed by the Legislature of the State of Wisconsin, instructing the Senators and requesting the Representatives of that State in Congress to oppose the enactment of any law establishing a government in New Mexico or California, or in any other territory belonging to the United States, unless it shall provide that slavery or involuntary servitude, except as a punishment for crime, shall be forever excluded therefrom; to oppose the admission of any more slaveholding States into the Union, and to exert their influence to procure the abolition of slavery and the slave trade in the District of Columbia, and to prohibit the traffic in slaves in all other places under the control of Congress:

Ordered, That they lie on the table and be printed.

Mr. Rusk reported from the committee that they have examined and found duly enrolled the joint resolution (H. R. 14) concerning the settlement of the accounts of William Speiden, purser in the navy of the United States.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a joint resolution (H. R. 57) in relation to foreign officers or seamen who shall render relief to American vessels in distress, in which they request the concurrence of the Senate.

They have passed the bill from the Senate (S. 295) to allow subsistence to certain Arkansas and other volunteers, who have been prisoners of war in Mexico.

The Speaker of the House of Representatives having signed an enrolled resolution (H. R. 14) I am directed to bring it to the Senate for the signature of their President.

The Vice President signed the enrolled joint resolution last reported to have been examined, and it was restored to the committee to be presented to the President of the United States.

On motion by Mr. Niles,

That the vote on the resolution to regulate the publication of the debates and proceedings of the Senate be reconsidered.

Ordered, That the further consideration thereof be postponed until to-morrow.

On motion by Mr. Atherton,

Ordered, That a member be appointed on the Committee on Finance to supply the vacancy occasioned by the resignation of Mr. Clayton, and that the appointment be made by the Vice President; and

Mr. Webster was appointed.

The joint resolution (H. R. 57) in relation to foreign officers or seamen who shall render relief to American vessels in distress, was read the first *and second times*, by unanimous consent.

Ordered, That it be referred to the Committee on Commerce.

The bill (H. R. 635) to aid the State of Louisiana in draining the swamp lands therein, was read the first and second times, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Johnson, of Georgia, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 184) amendatory of an act entitled "An act amendatory of the act entitled 'an act to incorporate the Provident Association of Clerks in the civil departments of the government of the United States, in the District of Columbia," approved 3d March, 1825, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Underwood, from the committee to whom was referred the bill (S. 353) to provide for taking the seventh census or enumeration of the inhabitants of the United States, reported it without amendment, and submitted a report on the subject; which was ordered to be printed.

Mr. Borland, from the Committee on Public Lands, to whom the petitions on the subject were referred, reported a bill (S. 483) to authorize the allowance of compensation to the registers and receivers of the several land offices of the United States, for locating military bounty land warrants, Choctaw land scrip, and for other purposes; which was read the first and second times, by unanimous consent.

The Senate proceeded to consider the said bill as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time, by unanimous consent.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 258) concerning the pay department of the army; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the following bills:

H. R. 549. An act for the relief of William Whitcher;

H. R. 629. An act for the relief of John Gawney;

H. R. 645. An act for the relief of Horatio Fitch;

H. R. 646. An act for the relief of William Lynch;

H. R. 679. An act for the relief of John McIntosh; reported the same without amendment.

On motion by Mr. Rusk,

Ordered, That a member be added to the Committee on Enrolled Bills on the part of the Senate, and that the appointment be made by the Vice President; and

Mr. Dodge, of Iowa, was appointed.

The bill (H. R. 754) making appropriations for the service of the Post Office Department for the year ending the 30th of June, 1850, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Finance.

Mr. Rusk reported, from the committee, that they had presented to the President of the United States the following bills and joint resolution:

S. 366. An act in addition to the act entitled "An act to incorporate the Washington, Alexandria, and Georgetown Steam Packet Company."

S. 470. An act to extend the provisions of an act approved the 3d of March, 1847, for carrying into effect the existing compacts with the States of Alabama and Mississippi with regard to the five per cent. fund and school reservations.

H. R. 283. An act for the relief of John Hibbert.

H. R. 530. An act for the relief of James Y. Smith.

H. R. 14. Joint resolution concerning the settlement of the accounts of William Speiden, purser in the navy of the United States.

Mr. Dodge, of Iowa, reported from the committee that they had examined and found duly enrolled the following bill and joint resolution:

H. R. 359. An act for the relief of A. C. Bryan and others.

H. R. 43. Joint resolution for the distribution of the Official Register or Blue Book among the several States.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill and an enrolled resolution, I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the enrolled bill (H. R. 359) and the enrolled resolution (H. R. 43) last reported to have been examined; and they were delivered to the committee, to be presented to the President *of the United* States.

The Senate resumed, as in Committee of the Whole, the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government for the year ending the 30th of June, 1850, and for other purposes; and the amendment proposed by Mr. Walker being under consideration, the hour arrived for taking a recess.

SIX O'CLOCK, P. M.

The Senate resumed the consideration of the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government for the year ending the 30th of June, 1850, and for other purposes:

On motion by Mr. Dayton to amend the amendment proposed by Mr. Walker the 21st instant, by striking out all after the word "enacted," in the first line, and inserting the following:

"That until other provision for the government of the territories recently acquired from Mexico, under the late treaty with that government, (dated second February, eighteen hundred and forty-eight,) shall be made by Congress, all the military, civil, and judicial powers heretofore exercised by the officers of the Mexican government in the same territories shall be vested in such person or persons, and shall be exercised in such manner as the President of the United States shall direct, for the maintaining the inhabitants of said territories in the free enjoyment of their liberty, property, and religion; and the laws of the United States relating to the revenue and its collection shall be extended to said territories. And the President of the United States shall be, and he is hereby, authorized, within the term aforesaid, to establish such districts for the collection of the revenue, and during the recess of Congress appoint such officers, whose commissions shall expire at the end of the next session of Congress, to enforce the said laws, as to him shall seem expedient; said officers to receive such compensation as the President may prescribe, not exceeding double the compensation heretofore paid to similar officers of the United States or its territories for like services; and, to enable the same to be done, the sum of two hundred thousand dollars be appropriated out of any money in the treasury not otherwise appropriated;"

It was determined in the negative, { Yeas..... 8 / Nays..... 47

On motion by Mr. Turney,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atherton, Cameron, Dayton, Dodge, of Wisconsin, Dodge, of Iowa, Hamlin, Mangum.

Those who voted in the negative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Borland, Bradbury, Bright, Butler, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dickinson, Dix, Douglas, Downs, Felch, Fitzgerald, Fitzpatrick, Foote, Greene, Hale, Hannegan, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Jones, King, Mason, Miller, Niles, Phelps, Rusk, Sebastian,

Spruance, Sturgeon, Turney, Underwood, Upham, Wales, Walker, Webster, Westcott, Yulee.

On the question to agree to the amendment proposed by Mr. Walker, modified as follows:

"SEC. 5. *And be it further enacted*, That the constitution of the United States, in so far as the provisions of the same be applicable to the condition of a territory of the United States, and all and singular the several acts of Congress respecting the registering, recording, enrolling, or licensing ships or vessels, and the entry and clearance thereof, and the foreign and coasting trade and fisheries, and all the acts respecting the imposing and collecting of duties on imports, and all acts respecting trade and intercourse with the Indian tribes, and all acts respecting the public lands, or the survey or sale thereof, and all and singular the other acts of Congress of a public and general character, and the provisions whereof are suitable and proper to be applied to the territory west of the Rio Del Norte, acquired from Mexico by the treaty of the second day of February, eighteen hundred and forty-eight, be, and the same are hereby, extended over, and given full force and efficacy in all said territory; and the President of the United States is hereby authorized to prescribe and establish all proper and needful rules and regulations, (in conformity with the constitution of the United States,) for the enforcement of the provisions of the constitution hereinbefore referred to, of said laws in said territory, and for the preservation of order and tranquility, and the establishment of justice therein, and from time to time to modify or change the said rules and regulations in such manner as may seem to him discreet and proper; and to establish, temporarily, such divisions, districts, ports, offices, and all arrangements proper for the execution of said laws, and appoint and commission such officers as may be necessary to administer such laws in said territories, for such term or terms as he may prescribe, whose authority shall continue until otherwise provided by Congress: said officers to receive such compensation as the President may prescribe, not exceeding double the compensation heretofore paid to similar officers of the United States or its territories, for like services; and to enable the same to be done, the sum of two hundred thousand dollars be appropriated, out of any money in the treasury not otherwise appropriated."

It was determined in the affirmative, { Yeas ..... 29 / Nays 27

On motion by Mr. Bradbury,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bell, Berrien, Borland, Butler, Davis, of Mississippi, Dickinson, Dodge, of Iowa, Douglass, Downs, Fitzgerald, Fitzpatrick, Foote, Hannegan, Houston, Hunter, Johnson, of Louisiana, Johnson, of Georgia, King, Mangum, Mason, Rusk, Sebastian, Sturgeon, Turney, Underwood, Walker, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atherton, Badger, Baldwin, Bradbury, Bright, Cameron, Clarke, Corwin, Davis, of Massachusetts, Dayton, Dix,

Dodge, of Wisconsin, Felch, Greene, Hale, Hamlin, Johnson, of Maryland, Jones, Miller, Niles, Pearce, Phelps, Spruance, Upham, Wales, Webster.

So the said amendment was agreed to.

On motion by Mr. Mangum, to amend the bill by adding after line 863 the following:

"For outfit for a minister to the government of Chili, nine thousand dollars;"

"For salary of said minister, nine thousand dollars."

It was determined in the affirmative, { Yeas ..... 30 / Nays 24

On motion by Mr. Foote,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Baldwin, Berrien, Borland, Butler, Cameron, Clarke, Corwin, Davis, of Massachusetts, Dayton, Downs, Greene, Hale, Hannegan, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Mangum, Miller, Pearce, Phelps, Rusk, Sebastian, Spruance, Upham, Wales, Webster, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atherton, Bell, Bradbury, Bright, Davis, of Mississippi, Dickinson, Dix, Dodge, of Iowa, Felch, Fitzgerald, Fitzpatrick, Foote, Hamlin, Johnson, of Georgia, Jones, King, Mason, Niles, Sturgeon, Turney, Underwood, Walker, Yulee.

On motion by Mr. Berrien,

The Senate adjourned.

TUESDAY, February 27, 1849.

Mr. Johnson, of Maryland, presented a memorial of merchants, manufacturers, and others, citizens of Baltimore, Maryland, praying the establishment of a reciprocal free trade, in agricultural products, between the United States and Canada:

Ordered, That it lie on the table.

Mr. Davis, of Mississippi, presented a memorial of John M. Hepburn, and others, clerks in the office of the adjutant general of the army, praying compensation for extra services performed in that office; which was referred to the Committee of Claims.

Mr. Hale presented a petition of citizens of Ogle county, Illinois, praying the adoption of measures for annexing Canada to the United States:

Ordered, That it lie on the table.

Mr. Hale presented a petition of citizens of Bowdoinham, Maine, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Hale presented a petition of Joseph Treat, a citizen of Ohio, and two petitions of citizens and female inhabitants of the State of Pennsylvania, praying the adoption of measures for the immediate *dissolution* of the Union:

Ordered, That they lie on the table.

Mr. Cameron presented a petition of citizens of Pennsylvania, praying the adoption of measures for abolishing slavery throughout the United States; a petition of citizens of said State, praying the abolition of slavery and the slave trade in the District of Columbia, and the prohibition of slavery in any territory belonging to the United States; and a petition of female inhabitants of Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia.

The motion to receive the petitions being objected to,

Ordered, That the motion lie on the table.

Mr. Cameron presented the petition of John Dougherty, proposing to transport the United States mails from the Mississippi river to San Francisco in California, and praying the construction of a post road for that purpose; which was referred to the Committee on the Post Office and Post Roads.

Mr. Cameron presented two petitions of citizens of Pennsylvania, praying the erection of piers and harbors in the Delaware river and bay; which were referred to the Committee on Commerce.

Mr. Cameron presented a memorial of citizens of Pennsylvania, praying such alterations of the patent laws as will secure the patentees the benefits of their inventions; which was referred to the Committee on Patents and the Patent Office.

Mr. Cameron presented two petitions of citizens of Schuylkill county, Pennsylvania, praying the enactment of a law to abolish capital punishment; which was referred to the Committee on the Judiciary.

Mr. Cameron presented a resolution passed by the legislature of the State of Pennsylvania, in favor of the enactment of a law setting apart a portion of the northwestern territory as a permanent home for the various Indian tribes inhabiting the United States; which was referred to the Committee on Indian Affairs.

Mr. Borland presented two memorials of citizens of Arkansas, praying the construction of a railroad from the Mississippi river to the Pacific ocean:

Ordered, That they lie on the table.

Mr. Hale presented five petitions of citizens of Pennsylvania, praying the abolition of slavery and the slave trade in the District of Columbia, and the prohibition of slavery in any territory belonging to the United States; a petition of citizens of Eliat, Maine, praying the abolition of the slave trade in the District of Columbia, a petition of female inhabitants of Pennsylvania, praying the abolition of slavery in the District of Columbia; and a petition of citizens and female inhabitants of said State, praying the abolition of slavery throughout the United States.

Mr. Hale also presented thirty-four petitions of female inhabitants of the State of New York, twelve petitions of female inhabitants of the State of Vermont, eight petitions of female inhabitants of the State of New Hampshire, eight petitions of female inhabitants of the State of Maine, eight petitions of female inhabitants of the State of Connecticut, three petitions of female inhabitants of the

State of Massachusetts, four petitions of female inhabitants of the State of Michigan, four petitions of female inhabitants of the State of Illinois, two petitions of female inhabitants of the State of New Jersey, a petition of female inhabitants of Racine, Wisconsin, two petitions of female inhabitants of the State of Pennsylvania, and twenty petitions of female inhabitants of the United States, praying the adoption of measures to prevent the further extension of American slavery, to discountenance the American slave trade, and to abolish slavery in those places over which Congress possesses jurisdiction.

The motion to receive the petitions being objected to,

Ordered, That the motion lie on the table.

Mr. Douglas submitted the following resolution for consideration:

Resolved, That the Secretary of War be requested to transmit to the Senate a report made to Major General P. F. Smith, when civil and military governor of the city of Mexico, by Lieutenant Smith, of the corps of topographical engineers, on the drainage and improvement of the valley of Mexico.

Mr. Yulee submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Post Office and Post Roads be instructed to inquire into the practicability and expediency of expediting the transmission of the mails between New York and New Orleans.

Mr. Davis, of Mississippi, submitted the following report:

The committee appointed on the part of the Senate jointly with the committee appointed on the part of the House of Representatives to wait on Zachary Taylor and Millard Fillmore, and notify them of their election as President and Vice President of the United States, report: That they have performed the duty assigned them; and that the President elect, in signifying his acceptance of the office to which he had been chosen by the people, avowed emotions of the profoundest gratitude, and declared his distrust of his ability to fulfil the expectations upon which their confidence was based, but gave assurance of a fixed purpose to administer the government for the benefit and advantage of the whole country.

In alluding to the fact to which his attention had been drawn, that the chairman of the committee represented a public body, a majority of whom were opposed in political opinion to the President elect, and accorded with that majority, he recognized in it the deference to the popular will constitutionally expressed, on which rests the strength and hope of the republic; and he said that it was to have been expected of the Senate of the United States.

He expressed an ardent wish that he might be able in any degree to assuage the fierceness of party or temper with moderation the conflicts of those who are only divided as to the means of securing the public welfare.

He said, having been reminded that he was about to occup the chair once filled by Washington, he could hope to emulate him *only in the* singleness of the aims which guided the conduct of the

man who had no parallel in history, and could have no rival in the hearts of his countrymen.

In conclusion, he announced his readiness to take the oath of office on the 5th of March proximo, at such hour and place as might be designated.

And the committee further report: That the Vice President elect, in signifying his acceptance of the office to which he had been chosen by the people, expressed the profound sensibility with which he received the announcement of his election, and said, that deeply impressed with the obligations which it imposed and the distinguished honor it conferred, he should do injustice to his feelings if he failed to express his grateful thanks for this manifestation of confidence; that he should accept the office, conscious of his want of experience and distrustful of his ability to discharge its duties, but with an anxious desire to meet the expectations of those who had so generously conferred it upon him.

Mr. Davis, of Mississippi, submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That there be appointed a committee of the Senate to make the necessary arrangements for the reception of the President elect on the fifth of March, and to apprise him of the same.

Ordered, That the committee consist of three members, to be appointed by the Vice President; and

Mr. Johnson, of Maryland, Mr. Davis, of Mississippi, and Mr. Davis, of Massachusetts, were appointed accordingly.

On motion of Mr. Westcott,

Ordered, That the report from the Secretary of the Navy, communicating a report made by Lieutenant William F. Lynch, of the navy, of an examination of the Dead sea, be referred to the Committee on Commerce and printed.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 232) for the relief of the legal representatives of Abraham Hogeboom, deceased, reported it without amendment.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 426) for the relief of Israel Johnson, reported it without amendment.

Mr. Bright, from the Committee on Revolutionary Claims, to whom was referred the bill (H. R. 306) for the relief of the legal representatives of Captain Samuel Jones, deceased, reported it without amendment.

Mr. Bright also submitted a report on the subject; which was ordered to be printed.

Mr. Atherton, from the Committee on Finance, to whom was referred the bill (H. R. 754) making appropriations for the service of the Post Office Department for the year ending the 30th of June, 1850, reported it without amendment.

Mr. Fitzpatrick, from the Committee of Claims, to whom was referred the bill (H. R. 248) for the relief of the legal representatives of Bernard Todd, deceased, reported it without amendment.

Agreeably to notice, Mr. Dickinson asked and obtained leave to bring in a bill (S. 484) to amend an act entitled "An act for authenticating certain records," approved February 22, 1849; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate:

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That it pass, and that the title be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in this bill.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a resolution, that the following be added to the joint rules of the two Houses:

"23. Private bills from the Senate in Committee of the Whole House in the House of Representatives, and private bills from the House of Representatives in the Senate, shall be placed first in order on the calendar of the two Houses, and those bills to which there shall be no objection shall be first considered;" in which they request the concurrence of the Senate."

The House of Representatives have passed the following bills:

H. R. 685. An act to establish the territorial government of upper California;

H. R. 795. An act for the relief of Solomon Davis;

H. R. 797. An act in relation to the Fox and Wisconsin river reservation in the State of Wisconsin; in which they request the concurrence of the Senate.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, the 26th instant, the following acts, which originated in the Senate:

S. 366. An act in addition to the act entitled "An act to incorporate the Washington, Alexandria, and Georgetown Steam Packet Company."

S. 470. An act to extend the provisions of an act approved the 3d of March, 1847, for carrying into effect the existing compacts with the States of Alabama and Mississippi with regard to the five per cent. fund and school reservations.

On motion by Mr. Bright,

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 509) to provide for applications for the renewal of patent rights in certain cases; and,

On motion by Mr. Calhoun,

Ordered, That it lie on the table.

The bill (S. 416) to regulate the pensions of officers, soldiers, seamen, and marines, who have been or may hereafter be disabled while in the service of the United States, was read a second time, and considered as in Committee of the Whole;

On motion by Mr. Cameron,

Ordered, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 574) granting a half section of land for the use of schools within fractional township 19, south of range 18 west, county of Lownds, State of Mississippi; and no amendment being made, it was reported to the Senate:

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government, for the year ending the 30th of June, 1850, and for other purposes.

On motion by Mr. Johnson, of Georgia, to amend the bill by adding thereto the following:

"SEC. . *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to the State of Georgia, out of any money in the treasury not otherwise appropriated, the several sums of money allowed by the agents appointed under the second section of the act of March the third, eighteen hundred and thirty-seven, to inquire what depredations were committed by the Seminole and Creek Indians, on the property of citizens of Florida, Georgia, and Alabama, to 'Henry W. Jernigan & Co.,' 'Jernigan, Gatchet & Co.,' 'Hill, Jernigan & Co.,' 'Asaph R. Hill,' and 'Henry W. Jernigan,' the same being designated in a report made by said agents on the twenty-eighth day of November, eighteen hundred and thirty-seven, in 'list A, third class,' by the numbers 'eight hundred and five,' 'eight hundred and fifty-four,' 'eight hundred and fifty-five,' 'eight hundred and fifty-six," and 'eight hundred and sixty-four,' the same having been assigned to said State."

It was determined in the negative, { Yeas ..... 8 / Nays 39

On motion by Mr. Phelps,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Berrien, Borland, Breese, Johnson, of Louisiana, Johnson, of Georgia, Mangum, Westcott.

Those who voted in the negative are,

Messrs. Atherton, Baldwin, Bradbury, Bright, Calhoun, Cameron, Clarke, Corwin, Davis, of Mississippi, Dayton, Dickinson, Dix, Dodge, of Iowa, Downs, Felch, Fitzpatrick, Foote, Greene, Hale, Hamlin, Houston, Hunter, Johnson, of Maryland, Jones, King, Mason, Miller, Niles, Pearce, Phelps, Rusk, Spruance, Sturgeon, Turney, Underwood, Upham, Wales, Walker, Yulee.

A further amendment having been proposed, the hour arrived for taking a recess.

SIX O'CLOCK, P. M.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 692) making appropriations for defraying the civil and diplomatic expenses of government, for the year ending the 30th June, 1850, and for other purposes.

On motion by Mr. King, to amend the bill by adding, after line 882, the following:

"*For an outfit to the commissioner to the Sandwich Islands, three thousand dollars.*"

It was determined in the negative, { Yeas..... 9 / Nays..... 38

On motion of Mr. Turney,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Davis, of Mississippi, Dickinson, Dix, Dodge, of Iowa, Douglas, Downs, Johnson, of Maryland, King, Westcott.

Those who voted in the negative are,

Messrs. Atchison, Atherton, Badger, Baldwin, Bell, Berrien, Borland, Bradbury, Butler, Cameron, Clarke, Corwin, Davis, of Massachusetts, Dayton, Fitzgerald, Fitzpatrick, Foote, Greene, Hale, Hamlin, Houston, Hunter, Johnson, of Georgia, Jones, Mangum, Mason, Miller, Niles, Pearce, Phelps, Rusk, Sebastian, Sturgeon, Turney, Underwood, Upham, Wales, Yulee.

On motion by Mr. Dayton, to amend the bill by inserting, after line 685, the following:

"*For the purchase of George Catlin's collection of paintings and curiosities, illustrative of the manners and customs of the North American Indians, five thousand dollars: Provided, The Committee on the Library can make a contract (which is hereby authorized) for the purchase thereof, at a price not exceeding fifty thousand dollars, payable in ten annual instalments.*"

It was determined in the negative, { Yeas..... 23 / Nays..... 25

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Corwin, Dayton, Dodge, of Iowa, Douglas, Fitzgerald, Foote, Greene, Hale, Hamlin, Houston, Johnson, of Maryland, King, Mangum, Miller, Rusk, Spruance, Wales, Webster.

Those who voted in the negative are,

Messrs. Allen, Atherton, Borland, Bradbury, Bright, Butler, Cameron, Davis, of Massachusetts, Davis, of Mississippi, Dickinson, Dix, Downs, Felch, Fitzpatrick, Hunter, Johnson, of Georgia, Mason, Niles, Phelps, Sebastian, Sturgeon, Turney, Underwood, Walker, Yulee.

No further amendment being made, the bill was reported to the Senate.

On motion by Mr. Badger,

The Senate adjourned.

WEDNESDAY, FEBRUARY 28, 1849.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I communicate, herewith, a report from the Secretary of State, in compliance with a resolution of the Senate of the 3d ultimo, requesting the President to communicate to the Senate a list of all the treaties of commerce and navigation between the United States and foreign nations, conferring upon the vessels of such nations the right of trading between the United States and the rest of the world in the productions of every country upon the same terms with American vessels, with the date of the proclamation of such treaties; also, a list of the proclamations conferring similar rights upon the vessels of foreign nations issued by the President of the United States, under the provisions of the first section of the act entitled "An act in addition to an act entitled 'an act concerning discriminating duties on tonnage and impost, and to equalize the duties on Prussian vessels and their cargoes,'" approved May 24, 1828.

JAMES K. POLK.

WASHINGTON, *February* 27, 1849.

The message was read.

Ordered, That it be printed, and that two thousand additional copies thereof be printed for the use of the Senate.

Mr. Johnson, of Louisiana, submitted documents relating to the claim of Villeneuve Le Blanc to the confirmation of his title to certain lands, which, with his petition on the files of the Senate, were referred to the Committee on Private Land Claims.

Mr. Dix presented the petition of Smith and Hersey, praying a remission of the duties on a quantity of molasses destroyed by fire while in the public warehouse; which was referred to the Committee on Finance.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of William C. Sterrett and the petition of Mary Wilkinson, and that they be referred to the Committee on Naval Affairs.

On motion by Mr. Johnson, of Louisiana,

Ordered, That the Committee on Pensions be discharged from the further consideration of the petition of Mary Hall.

Mr. Dickinson submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the Committee on Naval Affairs inquire into the propriety of authorizing an adjustment by the Secretary of the Navy upon principles of justice and equity of the claims of A. S. and A. W. Benson, arising out of contracts made with the Navy Department in the year 1841 for the transportation of naval stores to the Pacific.

Mr. Davis, of Massachusetts, from the Committee on Commerce,

reported a bill (S. 485) making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The bill was read a third time by unanimous consent.

Resolved, That it pass and that the title be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives in said bill.

On motion by Mr. Walker, the Senate proceeded to consider the resolution submitted by Mr. Hamlin the 24th January, relative to the appointment of additional messengers to the Senate; and,

On motion by Mr. Pearce, the resolution was amended and agreed to as follows:

Resolved, That the sergeant-at-arms of the Senate be, and hereby is, authorized to employ two messengers, in addition to those now authorized by the Senate; and that they receive the same daily pay as other messengers in the service of the Senate.

On motion by Mr. Atherton, the Senate proceeded to consider the resolution submitted the 20th instant, to rescind the resolution setting apart Thursdays for the consideration of private bills, and agreed thereto.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the joint resolution of the Senate (S. 59) to authorize the Secretary of the Treasury to make an equitable settlement with the sureties of Robert T. Lytle, late surveyor general of the district of Ohio.

They have passed the following bills and joint resolution:

H. R. 594. An act supplementary to an act entitled "An act to encourage the introduction and promote the cultivation of tropical plants," approved 7th July, 1838.

H. R. 799. An act for the benefit of Peter M. Grant;

H. R. 58. Joint resolution authorizing the Secretary of the Senate and Clerk of the House of Representatives to subscribe for certain debates and proceedings of Congress; in which bills and joint resolution they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed four enrolled bills (S. 295, H. R. 184, 574, 635) and a joint resolution, (S. 59,) I am directed to bring them to the Senate for the signature of their President.

The Vice President signed the enrolled bills (S. 295, H. R. 184, 574, 635) and the joint resolution (S. 59) last reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

The Senate proceeded to consider the additional joint rule proposed by the House of Representatives in relation to private bills; and,

On motion by Mr. Atherton,

Ordered, That it lie on the table.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (H. R. 555) for the relief of Henry Childs, also the bill (H. R. 628) for the relief of Mary Ann Pollard, reported the same without amendment, and that they ought not to pass.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (H. R. 611) for the relief of Joseph Dana, reported it with an amendment; which was read.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom were referred the following bills:

H. R. 559. An act for the relief of Giles Landon;

H. R. 648. An act for the relief of Rebecca Freeman;

H. R. 772. An act for the relief of Jacob Zimmerman; reported the same without amendment.

Mr. Benton, from the select committee, to whom was referred the memorial of Professor Page, submitted a report; which was ordered to be printed.

The bill (H. R. 685) to establish the territorial government of upper California, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Territories.

The bill (H. R. 795) for the relief of Solomon Davis was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate:

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill (H. R. 797) in relation to the Fox and Wisconsin river reservation, in the State of Wisconsin, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Public Lands.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 569) for the relief of the president and directors of the Union Bank of Florida; and,

On motion by Mr. Atherton,

Ordered, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 531) for the relief of James Moorehead, and having been amended, it was reported to the Senate; and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read a third time.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (H. R. 51) for the relief of pursers in the navy as to expenditures made in pursuance of orders during the war with Mexico, and having been amended, it was reported to the Senate; and the amendment was concurred in.

Ordered, That the amendments be engrossed and the resolution read a third time.

The resolution was read a third time, and the title was amended.

Resolved, That this resolution pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the said amendments.

The bill (H. R. 799) for the benefit of Peter M. Grant was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate:

Ordered, That it pass to a third reading.

The bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The joint resolution (H. R. 58) authorizing the Secretary of the Senate and Clerk of the House of Representatives to subscribe for certain debates and proceedings of Congress was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on the Library.

The bill (H. R. 594) supplementary to an act entitled "An act supplementary to an act entitled 'An act to encourage the introduction and promote the cultivation of tropical plants,'" approved 7th July, 1838, was read, and passed to the second reading.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 413) declaratory of the act for the admission of the State of Iowa into the Union; and the amendment was concurred in.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the following bills and joint resolution of the Senate:

S. 225. An act to provide for the final settlement of the accounts of Thomas C. Sheldon, late receiver of public moneys at Kalamazoo, Michigan.

S. 227. An act to provide for the final settlement of the accounts of Abraham Edwards, register of the land office at Kalamazoo, Michigan.

S. 258. An act concerning the pay department of the army.

S. 399. An act to define the period of disability imposed upon certain bidders for mail contracts.

S. 411. An act for changing the location of the land office in the

Chippewa land district, and establishing an additional land district in the State of Wisconsin.

S. 473. An act to continue the light at Sand's point, on Long Island.

S. 484. An act to amend an act entitled "An act for authenticating certain records," approved February 22, 1849.

S. 56. A resolution authorizing the Secretary of War to furnish arms and ammunition to persons emigrating to the Territories of Oregon, California, and New Mexico.

They have passed bills of the following titles:

H. R. 802. An act for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes;

H. R. 803. An act to remit the duties upon certain goods destroyed by fire in the city of New York;

H. R. 804. An act concerning the selection of jurors in certain courts of the United States;

H. R. 805. An act to authorize the judge of the courts of the United States, of the fifth circuit, to hold the circuit court for the district of Kentucky; in which they request the concurrence of the Senate.

They have passed the bill from the Senate (393) to provide for an increase of the medical staff, and for an additional number of chaplains, of the army of the United States, with an amendment; in which they request the concurrence of the Senate.

On motion by Mr. Breese, the bill (S. 277) for the relief of William L. Wizent was read a second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read the third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Fitzgerald reported from the committee that they had examined and found duly enrolled the following bills and joint resolution:

H. R. 184. An act to amend the charter of the Provident Association of clerks in the city of Washington.

H. R. 574. An act granting a half section of land for the uses of schools within fractional township nineteen south, of range eighteen west, county of Lowndes, State of Mississippi.

H. R. 635. An act to aid the State of Louisiana in reclaiming the swamp lands therein.

S. 295. An act to allow subsistence to certain Arkansas and other volunteers who have been prisoners of war in Mexico.

S. 59. A resolution to authorize the Secretary of the Treasury to make an equitable settlement with the sureties of Robert T. Lytle, late surveyor general of the district of Ohio.

The Senate resumed the consideration of the bill (H. R. 692) making *appropriations for* the civil and diplomatic expenses of

government, for the year ending the 30th of June, 1850, and for other purposes; and,

On the question to concur in the following amendment, proposed by Mr. Pearce, and agreed to as in Committee of the Whole:

"SEC. . *And be it further enacted*, That the sum of twenty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to enable the Secretary of State to purchase the remaining manuscript books and papers of General George Washington, the said books and papers to be deposited and preserved in the Department of State; and that a like sum be appropriated for the purchase of the manuscript books and papers of the late James Monroe, to be deposited in like manner in the Department of State."

A division of the question was called for; and

On the question to concur in the first clause thereof, providing for the purchase of the books and papers of George Washington.

It was determined in the affirmative, { Yeas..... 28 / Nays..... 25

On motion by Mr. Atherton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Borland, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Douglas, Downs, Foote, Greene, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Mason, Miller, Pearce, Phelps, Rusk, Spruance, Upham, Wales.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Benton, Bradbury, Bright, Butler, Calhoun, Dickinson, Dix, Dodge, of Iowa, Felch, Fitzgerald, Fitzpatrick, Hamlin, Johnson, of Georgia, King, Metcalfe, Niles, Sebastian, Sturgeon, Turney, Underwood, Walker, Yulee.

On the question to concur in the second clause of the amendment, providing for the purchase of the books and papers of James Monroe.

It was determined in the affirmative, { Yeas ..... 28 / Nays..... 20

On motion by Mr. Atherton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Berrien, Borland, Butler, Clarke, Corwin, Dayton, Dickinson, Downs, Fitzgerald, Foote, Greene, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Mason, Miller, Pearce, Rusk, Spruance, Sturgeon, Upham, Wales, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Benton, Bradbury, Bright, Davis, of Mississippi, Dix, Dodge, of Iowa, Felch, Fitzpatrick, Hamlin, Johnson, of Georgia, Metcalfe, Niles, Sebastian, Turney, Underwood, Walker, Yulee.

So the amendment was agreed to.

On the question to concur in the amendment submitted by Mr.

Walker, as agreed to in Committee of the Whole, the 26th instant, a debate arose, and continued to the hour for taking a recess.

SIX O'CLOCK, P. M.

The Senate resumed the consideration of the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government, for the year ending the 30th of June, 1850, and for other purposes.

On the question to concur in the amendment proposed by Mr. Walker, and agreed to, as in Committee of the Whole, the 26th instant.

It was determined in the affirmative, { Yeas ..... 25 / Nays 18

On motion by Mr. Hamlin,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bell, Berrien, Butler, Calhoun, Davis, of Mississippi, Dickinson, Dodge, of Iowa, Downs, Fitzpatrick, Foote, Hunter, Johnson, of Maryland, Johnson, of Georgia, King, Mangum, Mason, Pearce, Rusk, Sturgeon, Turney, Underwood, Walker, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atherton, Baldwin, Benton, Breese, Corwin, Davis, of Massachusetts, Dayton, Dix, Felch, Greene, Hamlin, Miller, Niles, Phelps, Spruance, Upham, Wales.

On motion by Mr. Dayton, to amend the bill by adding, after line 685, the following:

"For the purchase of George Catlin's collection of paintings and curiosities, illustrative of the manners and of the North American Indians, five thousand dollars: *Provided*, The Committee on the Library can make a contract (which is hereby authorized) for the purchase thereof, at a price not exceeding fifty thousand dollars, payable in ten annual instalments."

It was determined in the negative, { Yeas ..... 15 / Nays 21

On motion by Mr. Hunter,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bell, Berrien, Corwin, Dayton, Dodge, of Iowa, Foote, Greene, Hannegan, Johnson, of Maryland, Jones, King, Mangum, Miller, Spruance, Wales.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Butler, Calhoun, Davis, of Massachusetts, Davis, of Mississippi, Dickinson, Dix, Downs, Felch, Fitzpatrick, Hunter, Johnson, of Georgia, Mason, Niles, Sturgeon, Turney, Underwood, Walker, Yulee.

The bill having been further amended;

Ordered, That the amendments be engrossed and the bill read a third time.

The bill was *read a third time*.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Mangum submitted the following resolution for consideration:

Resolved, That there be paid, under the direction of the Committee to Audit and Control the Contingent Fund of the Senate, to the officers, clerks, messengers, pages, and laborers, in the employment of the Senate, and the boys employed in carrying the mail, the same amounts, respectively, that were allowed them at the last session.

Mr. Yulee submitted the following resolution for consideration:

Resolved, That Thomas Peters receive the same per diem and allowance as the other messengers, from the commencement of the present session of Congress.

On motion by Mr. Atchison,

The Senate adjourned.

THURSDAY, March 1, 1849.

The Vice President laid before the Senate a report of the Secretary of the Treasury, made agreeably to law, exhibiting the payments for miscellaneous claims not otherwise provided for, and expenditures for the relief of disabled seamen from the marine hospital fund; which was read.

The Vice President laid before the Senate a report of the Secretary of War, accompanied by a map, showing the operations of the army in Texas and the adjacent Mexican States on the Rio Grande; prepared in obedience to a resolution of the Senate; which was read.

Mr. Badger presented resolutions passed by the Legislature of the State of North Carolina, declaring the enactment of any law, by Congress, for abolishing slavery and the slave trade in the District of Columbia, or which shall deprive the citizens of any of the States of the right to emigrate with their slaves to the territories of the United States, to be an exercise of power not conferred by the constitution; and the readiness of the people of that State to acquiesce, for the sake of preserving the peace and promoting the perpetuity of the Union, in the adoption of the Missouri compromise in the organization of territorial governments in California and New Mexico.

The resolutions were read.

Ordered, That they lie on the table and be printed.

Mr. Greene presented resolutions passed by the Legislature of the State of Rhode Island and Providence Plantations, instructing the Senators and requesting the representatives of that State in Congress to use their best efforts to procure the enactment of laws for organizing territorial governments in California and New Mexico by which slavery shall be excluded from those territories; to *use their exertions* to protect the territory lying between the Nue*ces and the Rio* Grande, and that portion of New Mexico lying

east of the Rio Grande, from the claims of the State of Texas, and to prevent the extension of the laws of that State over said territory, and to use their best efforts to suppress slavery and the slave trade in the District of Columbia.

The resolutions were read, and

Ordered, That they be printed.

Mr. Greene presented a resolution passed by the Legislature of the State of Rhode Island and Providence Plantations, in favor of abolishing the spirit ration and corporeal punishment in the naval service.

On motion by Mr. Westcott, and by unanimous consent,

Ordered, That the same number of the annual report made at this session of the Commissioner of Patents as was ordered to be printed at the last session for the use of the Senate, be printed for the use of the Senate; the documents omitted last session to be likewise omitted, and the engravings to be furnished under direction of the Commissioner of Patents.

Mr. Mason submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the hour of meeting of the Senate be at 11 o'clock from this day until the end of the present session.

Mr. Westcott presented the credentials of the Hon. Jackson Morton, chosen a Senator by the General Assembly of the State of Florida for the term of six years from the 4th day of March, 1849; which were read.

On motion by Mr. Allen,

Ordered, That E. S. Haines have leave to withdraw his memorial and papers.

Mr. Yulee, from the Committee on Naval Affairs, reported a resolution (S. R. 66) respecting the claim of A. S. and A. W. Benson; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time.

Resolved, That this resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider the motion made by Mr. Cameron the 20th February, to reconsider the vote on passing the bill (S. 391) authorizing a patent to issue to William Green, jr.; and the motion was agreed to.

The Senate resumed the consideration of the said bill; and having been amended by unanimous consent,

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (H. R. 797) in relation to the Fox and Wisconsin

river reservation in the State of Wisconsin, reported the same without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill (H. R. 803) to remit the duties on certain goods destroyed by fire in the city of New York, was read the first and second times by unanimous consent.

On motion,

Ordered, That it lie on the table.

The following bills were read the first and second times by unanimous consent:

H. R. 802. An act for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes.

H. R. 804. An act concerning the selection of jurors in certain courts of the United States.

H. R. 805. An act to authorize the judge of the courts of the United States of the fifth circuit to hold the circuit court for the district of Kentucky.

Ordered, That the bill numbered 802 be referred to the Committee on Public Lands, and that the bills numbered 804 and 805 be referred to the Committee on the Judiciary.

On motion by Mr. Borland,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the following subjects:

S. 379. Bill to grant to the State of Arkansas the Hot Spring reservations.

Petition of Henry M. Rector.

Memorial of the Legislature of Arkansas, in relation to school reservations, presented January 11.

On motion by Mr. Butler,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the petitions of citizens of Schuylkill county, Pennsylvania, presented the 27th of February.

Petition of citizens of Alabama, in favor of a division of the State, presented the 24th February.

On motion by Mr. Breese,

Ordered, That the Committee on Public Lands be discharged from the further consideration of the following subjects:

Memorial of John A. Ragan;

Petition of inhabitants of Rosendale, Wisconsin, presented June 19;

Memorial of the president and directors of the Ohio and Indianapolis Railroad Company;

Petition of citizens of the United States for the division of the public lands and a grant thereof to settlers;

Petitions of citizens of Illinois, presented January 26;

Resolutions of the Legislature of Florida, respecting grants of land to officers and soldiers of the militia, who served in the Florida war, presented January 8;

Petition of citizens of Winnebago county, Illinois, praying a grant of land for a railroad to connect the Mississippi with the lakes, at Chicago, January 26;

Memorial of citizens of Perry county, Illinois, praying a grant of land for the Illinois Central Railroad, presented January 28;

S. 463. A bill concerning lands lying between the meander line and middle of meandered rivers;

S. 460. A bill to extend an act herein specified;

Memorial of the Mobile and Ohio Railroad Company, praying the aid of the government, presented January 8;

Petition of citizens of Monroe county, New York, praying the grant of the public domain to settlers without price, presented January 17, 1848;

Resolution of the Legislature of Indiana, in favor of a reduction of the price of the public lands in the Great Miami reserve, January 25;

Report of the acting Secretary of the Treasury, presented December 29, 1847; and from various other subjects not reported on.

Mr. Dodge, of Iowa, reported from the committee that they examined and found duly enrolled the following acts:

S. 56. Resolution authorizing the Secretary of War to furnish arms and ammunition to persons emigrating to the Territories of Oregon, California, and New Mexico.

S. 225. An act to provide for the final settlement of the accounts of Thomas C. Sheldon, late receiver of public moneys at Kalamazoo, Michigan.

S. 227. An act to provide for the final settlement of the accounts of Abraham Edwards, register of the land office at Kalamazoo, Michigan.

S. 258. An act concerning the pay department of the army.

S. 399. An act to define the period of disability imposed upon certain bidders for mail contracts.

S. 413. An act declaratory of the act for the admission of the State of Iowa into the Union.

S. 411. An act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.

S. 473. An act to continue the light at Sand's Point, on Long Island.

S. 484. An act to amend an act entitled "An act for authenticating certain records," approved February 22, 1849.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills and a joint resolution of the following titles:

H. R. 747. An act to provide for the settlement of the accounts

of public officers and others who may have received moneys arising from military contributions or otherwise in Mexico;

H. R. 752. An act for the relief of Stoughton A. Fletcher;

H. R. 813. An act making arrangements for taking the seventh census;

H. R. 61. Joint resolution authorizing the Secretary of the Senate and Clerk of the House of Representatives to subscribe for a thousand copies of a further publication of the debates and proceedings of Congress, and for other purposes; in which they request the concurrence of the Senate.

They have passed a bill from the Senate (S. 152) to establish the territorial government of Minesota; also, the bill from the Senate (S. 343) to provide for carrying into effect the fifth article of the treaty between the United States and the Mexican republic, for establishing the boundary line between them, with an amendment; in which amendments they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed nine enrolled bills and two enrolled resolutions, I am directed to bring them to the Senate for the signature of their President.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (H. R. 773) for the relief of Charles Larrabee, reported it without amendment.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 291) requiring all moneys receivable from customs, and from all other sources, to be paid immediately into the treasury without abatement or deduction, and for other purposes, reported it with amendments.

Mr. Rusk, from the Committee on Military Affairs, who were instructed to inquire into the subject, reported a resolution (S. R. 67) appropriating a sum of money to enable the President of the United States to make compensation for secret services in the war with Mexico; which was read and passed to the second reading.

Mr. Dickinson, from the Committee on Naval Affairs, reported a resolution (S. R. 68) for the purpose of straightening the line between the lands of the naval hospital at New York and of the adjoining proprietors; which was read and passed to the second reading.

Mr. Felch, from the Committee on Pensions, to whom was referred the bill (S. 471) for the further relief of the widows and orphans and soldiers in the late war with Mexico, reported it without amendment.

Mr. Breese, from the Committee on Public Lands, to whom the subject was referred, reported a bill (S. 486) to authorize an entry of the land upon which Fort Atkinson is situated; which was read and passed to the second reading.

The said bill was read a second time, by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

Mr. Felch, from the Committee on Public Lands, to whom the *subject* was referred, reported a bill (S. 487) to reduce the mini-

mum price of the mineral lands in the Lake Superior district, in Michigan, and in the Chippewa district in Wisconsin; which was read and passed to the second reading.

Mr. Atchison, from the Committee on Indian Affairs, to whom the subject was referred, reported a resolution (S. 69) authorizing the examination and payment to Susan Coody, a Cherokee woman, and others, for property destroyed by certain disorderly soldiers of the United States forces stationed at Fort Gibson, on the night of the 12th of March, 1845; which was read the first and second times by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time.

Resolved, That this resolution pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Upham, from the Committee on the Revolutionary Claims, to whom was referred the bill (H. R. 216) for the relief of the legal representatives of Colonel Francis Vigo, reported it without amendment, and submitted a special report on the subject; which was ordered to be printed.

Mr. Dix, from the Committee on Military Affairs, to whom was referred the bill (H. R. 15) for the settlement of the claims of New Hampshire against the United States, reported it without amendment.

The Senate proceeded to consider the bill last mentioned as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Miller submitted the following resolution:

Resolved, That the 16th joint rule be so far suspended as to permit the transmission to either House, of the bills passed by either House this day.

The Senate proceeded to consider the said resolution by unanimous consent; and the resolution was agreed to.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Benton, from the Committee on Military Affairs, to whom was referred the bill (S. 451) to provide for the construction of a central national road from the Pacific ocean to the Mississippi river, with a branch of said road to the Columbia river, reported it without amendment.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom the subject was referred, reported a bill (S. 488) to amend an act making provision for an additional number of general

officers, and for other purposes, passed 3d of March, 1847; which was read, and passed to a second reading.

On motion by Mr. Atherton,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (H. R. 792) exempting Spanish vessels from discriminating duties in certain cases; and that it be referred to the Committee on Commerce.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 343) to provide for carrying into effect the fifth article of the treaty between the United States and the Mexican republic, for establishing the boundary line between them; and

On motion by Mr. Allen,

Ordered, That it be referred to the Committee on Foreign Relations.

Mr. Mason, from the Committee on the Library, to whom was referred a resolution (H. R. 55) authorizing the distribution of the American Archives, under the direction of the joint Committee on the Library, to literary institutions in the several States and territories, reported it with amendments.

The Senate proceeded to consider the said resolution, as in Committee of the Whole, and the reported amendments having been agreed to, the resolution was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed, and the resolution read a third time.

The said resolution was read a third time as amended.

Resolved, That this resolution pass, with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the bill (H. R. 659) further to continue in force the acts for the payment of horses and other property lost in the military service of the United States, reported it with an amendment.

The Senate proceeded to consider the bill last mentioned, as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed, and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The bill (S. 388) for the relief of James Hotchkiss, was read the second time, and considered as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That this bill be engrossed and read a third time.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The bill (S. 421) to amend an act entitled "An act to regulate the mode of practice in the courts of the United States for the district of Louisiana," approved 26th of May, 1824, was read the second time, and considerd as in Committee of the Whole; and,

On motion by Mr. Atherton,

Ordered, That it lie on the table.

The bill (S. 353) to provide for taking the seventh census or enumeration of the inhabitants of the United States, was read the second time, and considered as in Committee of the Whole.

On motion by Mr. Bright,

Ordered, That it lie on the table.

The bill (H. R. 497) for the relief of E. B. Cogswell, was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 698) making appropriations for the payment of the navy pensions for the year ending the 30th June, 1850; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Breese, from the Committee on Public Lands, to whom was referred the bill (H. R. 802) for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes, reported the same without amendment.

The Senate proceeded to consider the bill last mentioned as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time by unanimous consent.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the resolution passed by the Senate to suspend the 16th joint rule of the two Houses, so far as relates to the bills passed this day by the two Houses.

The Vice President signed the ten enrolled bills H. R. 795, 799, S. 225, 227, 258, 399, 411, 413, 473, 484, and the two enrolled resolutions (H. R. 54, S. 56) last reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

The *Senate proceeded* to consider the amendment of the House

of Representatives to the bill (S. 393) to provide for an increase of the medical staff, and for an additional number of chaplains of the army of the United States; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

The Vice President notified the Senate that he would, at 1 o'clock to-morrow, by retiri g from the chair for the remainder of the session, afford the usual opportunity for the choice of a President *pro tempore*.

SIX O'CLOCK IN THE EVENING.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 686) making appropriations for certain fortifications of the United States for the year ending June 30, 1850; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 695) making appropriations for the support of the army for the year ending the 30th of June, 1850:

On motion by Mr. Baldwin, to amend the bill, by inserting the following as an additional section:

"SEC. —. *And be it further enacted*, That the inhabitants of the territories of California and New Mexico, respectively, shall be entitled to the benefits of the writ of habeas corpus in all cases of unlawful detention and restraint; of trial by jury in all criminal prosecutions; and of judicial proceedings, according to the course of the common law and the laws and usages in force in said territories; and no person, not belonging to the army or navy of the United States, shall be liable to be tried by martial law."

The said amendment was amended, on the motion of Mr. Rusk, by adding thereto the following:

"Provided nothing herein contained shall be so construed as to interfere in any respect with the rights of property of any State or of individuals."

On the question to agree to the amendment as amended:

It was determined in the negative, { Yeas ..... 17 / Nays ..... 27 }

On motion,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Baldwin, Cameron, Clarke, Corwin, Davis, of Massachusetts, Dayton, Dix, Greene, Hale, Hamlin, Miller, Niles, Spruance, Wales, Walker, Webster.

Those who voted in the negative are,

Messrs. Atchison, Atherton, Benton, Berrien, Borland, Breese, Bright, Butler, Dickinson, Downs, Fitzpatrick, Foote, Hannegan, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Jones, King, Mangum, Metcalfe, Rusk, Sebastian, Turney, Underwood, Yulee.

The bill having been amended was reported to the Senate, and the amendments were concured in.

Ordered, That the amendments be engrossed, and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Dodge, of Iowa, reported from the committee that they had examined and found duly enrolled the following bills:

H. R. 698. An act making appropriations for the payment of navy pensions, for the year ending the 30th of June, 1850.

H. R. 15. An act for the settlement of the claims of New Hampshire against the United States.

H. R. 497. An act for the relief of E. B. Cogswell.

H. R. 797. An act in relation to the Fox and Wisconsin reservation in the State of Wisconsin.

S. 393. An act to provide for an increase of the medical staff and for an additional number of chaplains of the army of the United States.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed five enrolled bills, I am directed to bring them to the Senate for the signature of their President:

The Vice President signed the five enrolled bills (H. R. 698, 15, 497, 797, 393) last reported to have been examined, and they were delivered to the committee, to be presented to the President of the United States.

The bill (H. R. 813) making arrangements for taking the seventh census was read the first and second times by unanimous consent;

Ordered, That it be referred to the select committee on the census.

The bill (H. R. 747) to provide for the settlement of the accounts of public officers and others who may have received moneys arising from military contributions or otherwise in Mexico, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Military Affairs.

The bill (H. R. 752) for the relief of Stoughton A. Fletcher was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Pensions.

The bill (H. R. 61) authorizing the Secretary of the Senate and Clerk of the House of Representatives to subscribe for a thousand copies of a *further publication* of the debates and proceedings of

Congress, and for other purposes, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on the Library.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the 1st, 2d, 3d, 4th, 5th, 6th, 7th, and 8th amendments of the Senate to the bill (H. R. 691) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending 30th June, 1850; they agree to the 9th amendment of the Senate, with an amendment, and they agree to the 10th amendment of the Senate with an amendment. The House of Representatives ask a conference on the disagreeing votes of the two Houses, and have appointed Mr. Vinton, Mr. Brodhead, and Mr. Barringer, a committee of conference on their part.

The Senate proceeded to consider the amendments of the House of Representatives to their 9th and 10th amendments to the said bill; and,

Resolved, That they disagree to the amendments of the House of Representatives to the said 9th and 10th amendments, and agree to the conference asked by the House of Representatives on the disagreeing votes of the two Houses.

Ordered, That Mr. Atherton, Mr. Bell, and Mr. Hunter, be the committee of conference on the part of the Senate.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 152) to establish the territorial government of Minnesota; and having concurred in the 1st, 2d, 3d, 4th, 5th, 6th, 7th, and 8th amendments of the House of Representatives;

On motion by Mr. Douglas, that the Senate disagree to the following 9th amendment:

"At the end of the bill add as follows:

"This act shall take effect from and after the 10th day of March, 1849;"

It was determined in the affirmative, { Yeas..... 30 / Nays..... 18

On motion by Mr. Turney,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Benton, Borland, Bradbury, Breese, Bright, Cameron, Dickinson, Dix, Dodge, of Iowa, Douglas, Downs, Fitzpatrick, Foote, Hannegan, Houston, Johnson, of Georgia, Jones, King, Mason, Niles, Rusk, Sebastian, Sturgeon, Turney, Walker, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Corwin, Davis, *of Massachusetts*, Greene, Johnson, of Maryland, Johnson, of Lou-

isiana, Mangum, Miller, Pearce, Phelps, Spruance, Underwood, Upham, Wales.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 725) for the relief of B. O. Payne, of Albany, and others; and no amendment being made, it was reported to the Senate:

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill (S. 400) for the relief of Moses E. Levy was read the second time and considered as in Committee of the Whole;

An amendment being proposed by Mr. Badger,

Ordered, That the further consideration of the bill be postponed until to-morrow.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 401) for the relief Joshua Barney, United States agent; and no amendment being made, it was reported to the Senate:

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 367) to cause the northern boundary line of Iowa to be run and marked; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read a third time.

Resolved, That this bill pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, (H. R. 282) for the relief of Lizur B. Canfield; and no amendment being made, it was reported to the Senate:

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Fitzgerald reported, from the committee, that they had this day presented to the President of the United States the following enrolled bills and joint resolutions:

H. R. 54. Resolution directing that the government of Russia be supplied with certain volumes of the narrative of the exploring expedition, in lieu of those which were lost at sea, and for other purposes.

H. R. 799. An act for the benefit of Peter M. Grant.

H. R. 795. An act for the relief of Solomon Davis.

H. R. 574. An act granting a half section of land for the use of schools within fractional township 19, south of range 18 west, county of Lowndes, State of Mississippi.

H. R. 184. An act to amend the charter of the Provident Association of Clerks in the city of Washington.

H. R. 635. An act to aid the State of Louisiana in reclaiming the swamp lands therein.

H. R. 43. Resolution for the distribution of the Official Register or Blue Book among the several States.

H. R. 359. An act for the relief of A. C. Bryan and others.

S. 59. Resolution authorizing the Secretary of the Treasury to make an equitable settlement with the sureties of Robert F. Lytle, late surveyor general of the district of Ohio.

S. 295. An act to allow subsistence to certain Arkansas and other volunteers who have been prisoners of war in Mexico.

S. 56. Resolution authorizing the Secretary of War to furnish arms and ammunition to persons emigrating to the territories of Oregon, California, and New Mexico.

S. 225. An act to provide for the final settlement of the accounts of Thomas C. Sheldon, late receiver of public moneys at Kalamazoo, Michigan.

S. 227. An act to provide for the final settlement of the accounts of Abraham L. Edwards, register of the land office at Kalamazoo, Michigan.

S. 258. An act concerning the pay department of the army.

S. 399. An act to define the period of disability imposed upon certain bidders for mail contracts.

S. 413. An act declaratory of the act for the admission of the State of Iowa into the Union.

S. 411. An act for changing the location of the land office in the Chippewa land district and establishing an additional land district in the State of Wisconsin.

S. 473. An act to continue the light at Sand's Point on Long Island.

S. 484. An act to amend an act entitled "An act for authenticating certain records," approved February 22, 1849.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 422) for the relief of Elizabeth S. Cobbs; and,

On motion,

The Senate adjourned.

FRIDAY, March 2, 1849.

Mr. Douglas presented the credentials of the honorable James Shields, chosen a Senator by the General Assembly of the State of Illinois for and during the term of six years from and after the 4th day of March, A. D. 1849; which were read.

Mr. Berrien presented the credentials of the honorable William C. Dawson, chosen a Senator by the Legislature of the State of

Georgia for six years from and after the 3d day of March, 1849; which were read.

Mr. Niles presented a petition of citizens of Rock county, Wisconsin, and a petition of citizens of New York, praying that the rates of postage may be reduced, and the franking privilege abolished:

Ordered, That they lie on the table.

Mr. Niles presented a petition of citizens and female inhabitants of Pennsylvania, praying the adoption of measures for the abolition of slavery throughout the United States.

The motion to receive the petition being objected to;

Ordered, That the motion lie on the table.

Mr. Sebastian submitted documents relating to the claim of Ashley Davis to a pension, in consideration of a wound received in the military service of the United States.

Ordered, That they lie on the table.

Mr. Sebastian submitted documents relating to the claims of W. W. Stevenson, register, and Lemuel R. Lincoln, receiver, at the land office in Little Rock, to compensation for services in superintending certain sales of public lands at that place.

Ordered, That they lie on the table.

Mr. Cameron presented a petition of citizens of Mifflin county, Pennsylvania, praying that the rates of postage may be reduced and the franking privilege abolished; which was referred to the Committee on the Post Office and Post Roads.

Mr. Davis, of Mississippi, presented the petition of H. L. Kendrick, an officer in the army, praying to be discharged from responsibility for a sum of public money of which he was robbed during the evacuation of Puebla, in Mexico, by the United States forces; which was referred to the Committee on Military Affairs.

Mr. Walker submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the 16th joint rule of the two Houses be suspended for the remainder of the present Congress.

Ordered, That the Secretary request the concurrence of the House of Representatives in said resolution.

Mr. Walker, by unanimous consent, asked and obtained leave to bring in a resolution (S. R. 70) to fix the meaning of the second section of an act for changing the location of the land office in the Chippewa land district and establishing an additional land district in the State of Wisconsin; which was read the first and second times by unanimous consent; and no amendment being made, it was reported to the Senate;

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time,

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a reso-

lution (H. R. 61) granting to the Secretary of the Treasury further time to make the report concerning the sale and entry of certain lands in Cincinnati.

They have passed the bill from the Senate (S. 411) to change the location of the land office in the Chippewa land district.

The Speaker of the House of Representatives having signed four enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The resolution (H. R. 61) granting to the Secretary of the Treasury further time to make the report concerning the sale and entry of certain lands in Cincinnati, was read the first and second times by unanimous consent:

Ordered, That it be referred to the Committee on Public Lands.

Mr. Butler, from the Committee on the Judiciary, to whom was referred the bill (H. R. 804) to authorize the judge of the courts of the United States of the fifth circuit, to hold the circuit court for the district of Kentucky, reported the same without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole, and no amendments being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 341) for the relief of Joel Thacker; and, no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the resolution submitted by Mr. Mason, the 18th July, to authorize the employment of a clerk for the Committee of Claims; and

On motion by Mr. Turney,

Ordered, That it lie on the table.

The Senate resumed, as in Committee of the Whole, the consideration of the bill (H. R. 803) to remit the duties upon certain goods destroyed by fire in the city of New York.

An amendment having been proposed by Mr. Hunter,

On motion by Mr. Webster,

Ordered, That the bill lie on the table.

Mr. Butler, from the Committee on the Judiciary, to whom was referred the bill (S. 312) to amend an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes, approved March 3, 1825, and an act authorizing the issue of treasury notes, a loan, and for other purposes, approved January 28, 1847, reported it without amendment.

Mr. Westcott, from the Committee on the Judiciary, to whom was referred the bill (S. 262) to amend the act approved June 17, 1844, entitled an act to provide for the adjustment of land claims within the States of Missouri, Arkansas, and Louisiana, and those parts of the States of Mississippi and Alabama south of the 31st degree of north latitude, and between the Mississippi and Perdido rivers, reported it with an amendment.

Mr. Westcott, from the Committee on the Judiciary, to whom was referred the petition of Isaac W. Taylor and others, legal representatives of Jaques Clamorgan, deceased, submitted a report, accompanied by a bill (S. 489) amendatory of an act approved the 26th day of May, 1824, and re-enacted on the 17th day of June, 1844, entitled "An act enabling claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims."

The bill was read and passed to the second reading.

Ordered, That the report be printed.

Mr. Westcott, from the Committee on the Judiciary, to whom was referred the bill (S. 384) in addition to the act to regulate the exercise of the appellate jurisdiction of the Supreme Court of the United States, in certain cases, and for other purposes, approved February 23, 1847, reported it with an amendment.

Mr. Niles, from the Committee on the Post Office and Post Roads, to whom was referred the resolution of the Senate of the 22d February, 1849, respecting a contract with Edward Mills, submitted a report; which was ordered to be printed.

Mr. Sebastian, from the Committee on Patents and the Patent Office, to whom was referred the petition of Peter U. Morgan, submitted a report; which was ordered to be printed.

On motion by Mr. Sebastian,

Ordered, That leave be granted to the petitioner to withdraw the papers accompanying his petition.

On motion by Mr. Underwood,

Ordered, That the Committee of Claims be discharged from the further consideration of the memorial of Maria L. Nourse.

Mr. Cameron, from the select committee on the census, to whom was referred the bill (H. R. 813) to make arrangements for taking the seventh census, reported it without amendment.

The Vice President addressed the Senate as follows:

GENTLEMEN OF THE SENATE: The close of my official term being near at hand, I conform to an established and convenient practice, by withdrawing from the deliberations of this body, and thus creating the occasion for the choice of a temporary President.

It is impossible for me, however, to do this, without begging you, each and all, to accept my thanks for the courtesy and respect by which you have lightened the burden of my service in your chamber.

The elevated principle and dignified tone which mark the proceedings of the Senate; the frank and yet forbearing temper of its discussions; the mutual manifestations of conciliatory deference, so *just and appropriate* among the delegates of independent States;

and the consequent calmness and precision of its legislative action, have attracted to it a very large share of veneration and confidence. Four years of experience convince me that this confidence is not misplaced. It is true that such an assembly, constantly handling topics of the widest bearing, of the highest and deepest concern to diversified constituencies, cannot avoid being occasionally disturbed by conflicting sentiments of patriotic duty, or by sudden impulses of feeling. But these transient disturbances are too intimately and obviously associated with representative fidelity, with unquestionable freedom of debate, and with a quick sense of public honor, to be subject to entire repression by the strictest rules of order. They are, indeed, rare, passing over the scene like flashes which do but startle, and then cease, and which serve only to exhibit in stronger relief the grave decorum of its general conduct. Long, forever, may this character be maintained in the Senate, strengthening, as it cannot fail to strengthen, the attachment of the American people to their admirable constitution of government.

You will, I trust, pardon me if I protract, for an instant, these parting words, in order to utter one or two sentiments, derived solely from my position as an agent of the nation.

A *right* to vote upon any question pending before this body when its members are equally divided, is given to the Vice President by the constitution; and *the duty* to exercise that right is imposed upon him by an express rule of the Senate.

Although it so happened that equal divisions have occurred, during my official term, with unusual frequency—not less than *thirty* times—and although no one can be insensible to the signal responsibility of giving to this or the other scale, on such contingencies, the final preponderance, I am not aware of having faltered in casting my suffrage as, in my conscience, I believe the people of the United States, and especially that vast majority of them whose judgments and affections cling with ever-renewing conviction and devotion to the harmony and duration of the Union, would have prescribed. Of the cardinal duties of American functionaries, I have deemed *that* to be the foremost which consists in practically upholding and exemplifying the beneficence, independent social organization, equality, and fraternity so distinctly and directly inculcated in the constitution. Nor, senators, is any man fit to participate in the government of great societies, with elements combined as ours are, who hesitates about disobliging the few who have access to or surround him, for the sake of the many whom he can never see. In these reflections lies the simple and safe rule of truly patriotic action. I am far from the self-flattery of supposing that the deciding votes, so often and sometimes so suddenly required at my hands, conformed unerringly to this rule; but I cannot repress the hope that time and trial will prove them to have been as positively right as I am absolutely certain they were rightly intended.

My draft, gentlemen, on your generous indulgence is a heavy one, when I ask you to forget or overlook the many imperfections with which the duties of the chair have been discharged. Its labors,

occasionally more arduous and anxious, are always more absorbing than is generally supposed; and I undertook them with an oppressive consciousness of inexperience. Now that I am finally relieved from the burden, let me say that I shall take back to the private pursuits whence I was unexpectedly called the most grateful recollections of your kindness, and an ardent wish that your toils to advance the prosperity of a country beloved by us all may be rewarded by the purest public favor, and by prolonged lives of happiness and honor.

And, thereupon, in pursuance of the notice yesterday, retired from the chair.

On motion by Mr. Benton, and by unanimous consent,

Resolved, That the Hon. David R. Atchison be appointed, in the absence of the Vice President, President of the Senate pro tempore.

On motion by Mr. Benton,

Ordered, That the Secretary wait on the President of the United States, and inform him that the Senate, in the absence of the Vice President, have chosen the Hon. David R. Atchison President of the Senate pro tempore; and that he make a similar communication to the House of Representatives.

On motion by Mr. Webster,

Resolved unanimously, That the thanks of the Senate are due, and are hereby tendered to George M. Dallas, Vice President of the United States and President of the Senate, for the dignity and impartiality with which he has presided over its deliberations.

Mr. Corwin, from the Committee on Public Lands, reported a resolution (S. R. 71) for a geological survey in detail; which was read and passed to the second reading.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the resolution (S. R. 48) giving three months extra pay to all officers, non-commissioned officers, musicians, and privates of the volunteer service for each term of enlistment during the late war with Mexico, reported it without amendment, and submitted a special report on the subject.

The following message was received from the President of the United States by Mr. Walker, his secretary:

To the Senate of the United States:

I herewith transmit a communication from the Secretary of the Treasury, accompanying a report from the Solicitor of the Treasury, presenting a view of the operations of that office since its organization.

JAMES K. POLK.

WASHINGTON, *March* 2, 1849.

The message was read.

Ordered, That it be printed with the accompanying documents, and that one thousand copies thereof be printed, in addition to the usual number, for the use of the department.

Mr. Corwin, from the Committee on Private Land Claims, reported a bill (S. 490) for the relief of Charles G. Gunter; which

was read the first and second times by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That it pass, and that the title thereof be as aforesaid.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Pearce, from the Committee on the Library, to whom was referred the resolution from the House of Representatives (H. R. 58) authorizing the Secretary of the Senate and Clerk of the House of Representatives to subscribe for a thousand copies of a further publication of the debates and proceedings of Congress, and for other purposes, reported it without amendment.

The Senate proceeded to consider the said resolution as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said resolution was read a third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 662) for the relief Elizabeth H. Cobbs; and,

On motion by Mr. Westcott,

Ordered, That it lie on the table.

Mr. Berrien, from the Committee on the Judiciary, to whom was referred the bill (H. R. 804) concerning the selection of jurors in certain courts of the United States, reported it without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Dodge, of Iowa, reported from the committee that they had examined and found duly enrolled the following acts:

H. R. 282. An act for the relief of Elizur B. Canfield;

H. R. 401. An act for the relief of Joshua Barney, United States agent;

H. R. 725. An act for the relief of B. O. Payne, of Albany, New York;

H. R. 802. An act for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes.

The president pro tempore signed the four enrolled bills last reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

The Senate proceeded to consider the resolution submitted by

Mr. Cameron, the 14th December, respecting the furnishing Senators with certain books; and having been amended, it was agreed to, as follows:

Resolved, That the Secretary be directed to furnish each member of the present Senate, who has not already received them, one copy of the constitution and other books ordered to be furnished to the Senators by the resolutions of February 18, 1847, and to the Senators from Iowa, and Wisconsin, the same number of the constitution as have been already given to other members of the Senate.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 547) for the relief of Mary G. Leverett; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Dix, from the Committee on Commerce, to whom the following bills were referred;

H. R. 344. To transfer the towns of Vinal Haven, North Haven, Islesboro, from the collection district of Penobscot to that of Belfast, in the State of Maine;

H. R. 791. Declaring Fort Covington, in the State of New York, to be a port of delivery, and for other purposes; reported the same without amendment.

The Senate proceeded to consider the said bills, as in Committee of the Whole; and no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives accordingly:

Mr. Dix, from the Committee on Commerce, to whom was referred a resolution (H. R. 57) in relation to foreign officers or seamen, who shall render relief to American vessels in distress, reported it without amendment.

A message from the House of Representatives, by Mr. Campbell their Clerk:

Mr. President: The House of Representatives have passed the bill (S. 313) to carry into effect certain stipulations of the treaty between the United States of America and the republic of Mexico, of the 2d of February, 1848, with amendments; in which they request the concurrence of the Senate.

SIX O'CLOCK IN THE EVENING.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 464. An act for the relief of William Gott;

H. R. 181. An act for the relief of John P. Skinner, and the legal representatives of Isaac Green;

H. R. 354. An act for the relief of Doctor Adolphus Wislizenus; and no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill (S. 477) for the relief of Robert M. Martin, was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 699) making appropriations for the naval service, for the year ending the 30th of June, 1850.

On motion by Mr. Davis, of Mississippi, to amend the bill by inserting the following, after the third section:

"SEC. 4. *And be it further enacted*, That the Secretary of the Navy may be, and is hereby, authorized and directed, as far as the public transport service will permit, to employ the steamers so transferred to the Navy Department in establishing a semi-monthly line from New Orleans to Vera Cruz, or some other port on the Gulf of Mexico, and, connecting with some port on the Pacific, thence to California, as the Secretary of the Navy may direct.

SEC. 5. *And be it further enacted*. That said steamers shall convey the United States mail; and that American citizens, who may be received as passengers on the same, shall not be charged a higher rate of fare than shall be necessary to reimburse the government for the expenses incurred on account of such passengers."

It was determined in the negative, { Yeas..... 14 / Nays..... 36

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Breese, Corwin, Davis, of Mississippi, Dodge, of Iowa, Downs, Fitzpatrick, Foote, Houston, Johnson, of Louisiana, Jones, Rusk, Sebastian, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atherton, Badger, Baldwin, Bell, Benton, Berrien, Borland, Bradbury, Bright, Butler, Cameron, Clarke, Davis, of Massachusetts, Dayton, Felch, Fitzgerald, Greene, Hale, Hamlin, Hunter, Johnson, of Maryland, Johnson, of Georgia, King, Mangum, Mason, Miller, Niles, Phelps, Spruance, Turney, Underwood, Upham, Wales, Walker, Webster.

On motion by Mr. Miller to amend the bill by inserting the following:

"SEC. —. *And be it further enacted*, That the sum of one thousand three hundred and thirty-six dollars and thirty-seven cents be, and the same is hereby, appropriated, to reimburse Commodore Charles Wilkes, for law expenses incurred by him in the several courts in defending suits brought against him, for acts committed in discharge of his official duties."

It was determined in the negative, { Yeas ..... 15 / Nays 30

On motion by Mr. Allen,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Berrien, Butler, Clarke, Dayton, Foote, Greene, Johnson, of Maryland, Johnson, of Louisiana, Mangum, Mason, Miller, Pearce, Wales, Yulee.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Benton, Bradbury, Bright, Cameron, Corwin, Dickinson, Dix, Dodge, of Iowa, Douglas, Downs, Felch, Fitzgerald, Fitzpatrick, Hale, Hamlin, Johnson, of Georgia, Jones, King, Niles, Phelps, Rusk, Sebastian, Spruance, Sturgeon, Turney, Underwood, Upham.

On motion by Mr. Cameron to amend the bill, by inserting the following:

"*And be it further enacted*, That the Secretary of the Navy be, and he hereby is, authorized to enter into a contract on behalf of the government of the United States with such person or persons as shall have obtained the right to construct a plank road across the isthmus of Panama, their associates and assigns, for the transportation of the mails of the United States and of all army and naval forces, including soldiers, marines, and sailors, belonging to the army and navy of the United States over said road, from the Atlantic to the Pacific ocean, and for the free use of said road for the transportation over it of munitions of war, army and naval stores, for a sum which shall not exceed seventy-five thousand dollars: *Provided*, That no payment shall be made under such contract until said road shall be so far completed as to afford a conveyance across the isthmus within the space of twelve hours: *And, provided, also*, That the contract shall be made upon the condition that the said road be commenced within three months from the date of the contract, and be completed one year thereafter: *And, provided also*, That Congress may at any time after the said road shall have been completed and in operation five years rescind the same by joint resolution."

The said amendment was amended on the motion of Mr. Foote, by adding thereto the following:

"*Provided, also*, That if the Secretary of the Navy shall ascertain that there is any company in existence duly authorized to contract for the transportion of the mails, the army, naval forces, &c., across the isthmus of Tehuantepec, and that a contract with such latter company will be upon the whole more advantageous to the

government than the contract authorized by this section to be made with such person or persons as have obtained the right to construct the plank road herein mentioned across the isthmus of Panama, he shall be, and he is hereby, authorized to enter into a contract with such company in preference to the one mentioned in this section and upon similar terms."

And on the question to agree to the amendment proposed by Mr. Cameron as amended;.

It was determined in the negative, { Yeas ..... 11 / Nays 30

On motion by Mr. Mangum,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baldwin, Cameron, Clarke, Dodge, of Iowa, Douglas, Fitzgerald, Greene, Hale, King, Wales, Westcott.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Badger, Berrien, Borland, Bradbury, Breese, Bright, Butler, Davis, of Mississippi, Dix, Downs, Felch, Fitzpatrick, Hamlin, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson of Georgia, Mangum, Mason, Niles, Pearce, Phelps, Rusk, Spruance, Turney, Underwood.

The bill having been amended, was reported to the Senate; and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill was read a third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 754) making appropriations for the service of the Post Office Department for the year ending the 30th of June, 1850:

On motion by Niles to amend the bill by adding thereto the following:

"SEC. —. *And be it further enacted*, That from and after the first day of July next the postage on letters shall be as follows: Letters conveyed by mail any distance in the United States shall be charged with postage by weight, and according to their rates; letters weighing not exceeding half an ounce shall pay one rate of three cents, to be prepaid, and five cents if not so prepaid; letters weighing more than half an ounce, and not exceeding one ounce, shall pay two rates, or six cents, to be prepaid, and ten cents if not prepaid; letters weighing more than one ounce and not exceeding two ounces, shall pay four rates, or twelve cents, to be prepaid, and twenty cents if not prepaid; and letters exceeding two ounces in weight, shall pay an additional postage of four rates, or twelve cents, for every additional ounce, or fractional part thereof, if prepaid, and twenty cents if not prepaid; and all drop letters, or letters to be delivered at the office where deposited, shall be charged with one cent postage, to be prepaid, and two *cents if not so* prepaid.

"SEC. 2. *And be it further enacted*, That it shall be the duty of the Postmaster General, at all post offices where the gross postage amounts to fifty thousand dollars annually, to provide for conveying letters to the post office by establishing suitable and convenient places of deposit, and by employing carriers to receive and deposit them in the post office free of charge; and at all such offices it shall also be his duty to cause letters to be delivered by suitable carriers, to be appointed by him for that purpose, for which not exceeding one cent for each letter shall be charged; and on advertised letters, there shall be an additional charge not exceeding one cent.

"SEC. 3. *And be it further enacted*, That from and after the period aforesaid, the postage on newspapers, and other printed matter, shall be as follows: all newspapers, not exceeding in weight, (when dry,) two ounces, shall pay one cent postage, and a like sum for every additional ounce or fractional part thereof: *Provided*, That newspapers, not weighing over one ounce and a half, and sent from the office where printed, not more than fifty miles, shall be charged with one half cent postage only. Pamphlets, magazines, and books, whether periodical or not, shall be charged with postage at the rate of one cent the ounce, but any fractional part of an ounce shall be charged one cent. The postage on newspapers, and other periodicals, not sent from the office of publication, must be prepaid; and all hand bills, circulars, and printed letters, not sealed, shall be charged with one-half the rate of letter postage. That publishers of newspapers and periodicals shall be entitled to receive, free of postage, one copy of any other newspaper, or periodical, in exchange for their own publication, and have the privilege of sending bills against their subscribers in their papers or periodicals free of charge.

SEC. 4. *And be it further enacted*, That all letters conveyed in the United States mail by sea, from any place in the United States to any foreign country, or to the possessions of the United States on the Pacific, shall be charged with a uniform postage of twenty-one cents, when not weighing over half an ounce, and the like sum for any additional half ounce, or fractional part thereof; the same rates of postage shall be charged on all letters conveyed in like manner, from any foreign country, or the possessions of the United States on the Pacific, to any place in the United States: this rate is exclusive of the foreign postage chargeable on such letters. And all letters conveyed from any place in the United States to any foreign country, in a packet, or mail ship, belonging to any foreign power, or the citizens thereof, and employed by such power to transport its mail, shall be charged with postage at the rate of five cents the half ounce, in manner aforesaid, in addition to the postage charged by such countries; and all letters conveyed in such foreign packet, or mail ship, from any foreign country to any port or place in the United States, shall be charged with five cents postage for each half ounce, or fractional part thereof, in addition to the foreign postage; and all letters posted or mailed at any place in the United States for any foreign country, or the Pacific coast

of the United States, and conveyed by a private vessel or ship, whether owned by citizens of the United States, or citizens of a foreign country, and not employed in transporting a public mail, shall be charged with five cents postage the half ounce, in manner aforesaid, to be prepaid; and all letters conveyed in such private vessel or ship, from a foreign country to the United States, and posted at any place in the United States, shall be charged with the like postage of five cents the half ounce; and no additional charge shall be made for inland postage. And all newspapers conveyed from the United States to any foreign country, or to the Pacific coast of the United States; or from any foreign country, or the Pacific coast, to the United States, in any packet, or steam ship, transporting a public mail, shall be charged with two cents postage for each newspaper, no addition being made for inland postage. And all pamphlets, magazines, or books, conveyed in the mail as aforesaid, from the United States to any foreign country, or the Pacific coast of the United States, or from any foreign country, or the Pacific coast, to any place in the United States, and not weighing more than two ounces, shall pay two cents postage, and two cents for every additional ounce, or fractional part thereof, no addition being charged for inland postage.

"SEC. 5. *And be it further enacted*, That the sum of seven hundred and fifty thousand dollars be, and the same is hereby, appropriated from any moneys in the treasury not otherwise appropriated, for the service of the Post Office Department, for the year ending on the thirtieth day of June, eighteen hundred and fifty, should the ordinary revenues of the department be insufficient to sustain the service now authorized, or which may hereafter be authorized by law.

"SEC. 6. *And be it further enacted*, That the Postmaster General be authorized to prepare postage stamps, which, when attached to any letter, shall be evidence of payment of the postage chargeable on such letter, which said stamps the Postmaster General may deliver to any deputy postmaster who may apply for the same, the deputy postmaster paying or becoming responsible for the stamps so received by him; and if any of said stamps shall not be used, but be returned to the General Post Office, the amount so returned shall be credited to such deputy postmaster; and such deputy postmaster may sell or dispose of any stamps so received by him to any person who may wish to use the same; but it shall not be lawful for any deputy postmaster to prepare, use, or dispose of any stamps not authorized by or received from the Postmaster General; and any person who shall falsely and fraudulently make, utter, or forge any postage stamp, or shall falsely and fraudulently attach to a letter any stamp which has once been used in payment of postage, knowing that such stamp had so been used, and with the intent to defraud the Post Office Department, such person, on conviction, shall, for every such offence, be fined not exceeding three hundred dollars, or imprisoned not exceeding six months, or both, according to the circumstances and aggravations of the offence.

"SEC. 7. *And be it further enacted*, That, should the commis-

sions of postmasters decline under the operation of this act, it shall be the duty of the Postmaster General to allow them, in addition to what they are entitled to by existing laws, a sum sufficient to make their whole compensation equal to what it was in the year ending the thirtieth of June, eighteen hundred and forty-eight.

"SEC. 8. *And be it further enacted*, That all acts or parts of acts inconsistnnt with the provisions of this act be, and the same are hereby, repealed: *Provided*, That this act shall not be construed to repeal the several acts or parts of acts relating to the franking privilege."

It was determined in the negative, { Yeas ..... 20 / Nays 26

On motion by Mr. Niles,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Baldwin, Cameron, Clarke, Corwin, Davis, of Massachusetts, Dix, Dodge, of Iowa, Felch, Fitzgerald, Greene, Hale, Hamlin, Jones, Miller, Niles, Rusk, Underwood, Upham, Wales, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Atherton, Badger, Bell, Benton, Berrien, Borland, Bradbury, Breese, Bright, Butler, Davis, of Mississippi, Douglas, Downs, Fitzpatrick, Foote, Houston, Hunter, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, King, Mason, Pearce, Sebastian, Spruance, Turney.

The bill having been amended, was reported to the Senate; and the amendment was concurred in.

Ordered, That the amendment be engrossed, and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

Mr. Dodge, of Iowa, reported from the committee that they had presented to the President of the United States, this day, the following acts:

H. R. 525. An act to establish an additional land office in the State of Missouri.

H. R. 684. An act to provide for carrying into execution, in part, the 12th article of the treaty with Mexico, concluded at Guadalupe Hidalgo.

H. R. 698. An act making appropriations for the payment of navy pensions, for the year ending the 30th of June, 1850.

H. R. 15. An act for the settlement of the claims of New Hampshire against the United States.

H. R. 497. An act for the relief of E. B. Cogswell.

H. R. 797. An act in relation to the Fox and Wisconsin reservation in the State of Wisconsin.

S. 393. An act to provide for an increase of the medical staff; and for an additional number of chaplains in the army of the United States.

H. R. 282. An act for the relief of Lizur B. Canfield.

H. R. 401. An act for the relief of Joshua Barney, United States agent.

H. R. 725. An act for the relief of P. O. Payne, of Albany, New York.

H. R. 802. An act for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the bill from the Senate (S. 405) to grant to the Atlantic and Gulf Railroad Company the right of way through the public lands of the United States.

They concur in some and disagree to other amendments of the Senate to the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government, for the year ending June 30, 1850.

The Senate proceeded to consider their amendments, disagreed to by the House of Representatives, to the bill last mentioned, (H. R. 692;) and,

On motion by Mr. Atherton,

Resolved, That they insist on their amendments, disagreed to by the House of Representatives, and ask a conference on the disagreeing votes of the two Houses.

Ordered, That Mr. Atherton, Mr. Dickinson, and Mr. Berrien, be the committee of conference on the part of the Senate.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Walker submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the 16th joint rule of the two Houses be suspended for the remainder of the session.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

Mr. Dodge reported from the committee that they had examined and found duly enrolled the bill (S. 405) entitled "An act to grant to the Atlantic and Gulf Railroad Company the right of way through the public lands of the United States."

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the amendments of the Senate to the bill (H. R. 659) to continue in force the acts for the payment of horses and other property lost in the military service of the United States.

They disagree to the amendment of the Senate to the bill (H. R. 686) making appropriations for certain fortifications of the United States, for the year ending the 30th of June, 1850.

They agree to the 3d, 4th, 6th, 7th, and 12th amendments of the Senate to the bill (H. R. 695) making appropriations for the support of the army, for the year ending the 30th of June, 1850; they disagree to the 1st, 2d, 5th, 8th, 9th, and 11th amendments of the Senate; and concur in the 10th amendment of the Senate to the

said bill with an amendment, in which they request the concurrence of the Senate.

They concur in the amendment of the Senate to the bill (H. R. 700) to amend the act entitled "An act supplemental to an act for the admission of the States of Iowa and Wisconsin into the Union," with an amendment, in which they request the concurrence of the Senate.

They have passed the bill (S. 398) to grant the right of way to the Mobile and Ohio Railroad Company, with an amendment, in which they request the concurrence of the Senate.

The Speaker of the House of Representatives having signed six enrolled bills, and an enrolled resolution, I am directed to bring them to the Senate for the signature of their President.

Mr. Fitzgerald reported from the committee that they had examined and found duly enrolled the following bills and joint resolution:

H. R. 341. An act for the relief of Joel Thacker.

H. R. 344. An act to transfer the towns of Vinal Haven, North Haven, and Islesboro', from the collection district of Penobscot to that of Belfast, in the State of Maine.

H. R. 791. An act declaring Fort Covington, in the State of New York, to be a port of delivery, and for other purposes.

H. R. 804. An act concerning the selection of jurors in certain courts of the United States.

H. R. 805. An act to authorize the judge of the courts of the United States of the fifth circuit to hold the circuit court for the district of Kentucky.

H. R. 58. Joint resolution authorizing the Secretary of the Senate and the Clerk of the House of Representatives to subscribe for a thousand copies of a further publication of the debates and proceedings of Congress, and for other purposes.

The President pro tempore signed the six enrolled bills (H. R. 344, 791, 805, 804, 341, S. 405) and the enrolled resolution (H. R. 58,) last reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 398) to grant the right of way to the Mobile and Ohio Railroad Company; and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the resolution submitted by Mr. Mangum, the 28th February, making an allowance to the officers and others of the Senate; and having been amended,

Ordered, That it be referred to the Committee on the Contingent Expenses of the Senate.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 773. An act for the relief of Major Charles Larrabee;

H. R. 621. An act for the relief of Alexander McEwen;

H. R. 76. An act for the relief of David Thomas, of Philadelphia; and, no amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion,

The Senate adjourned.

SATURDAY, March 3, 1849.

Mr. Atherton presented the credentials of the honorable Moses Norris, junior, elected a Senator by the Legislature of the State of New Hampshire, for the term of six years, from and after the third day of March, 1849; which were read.

The President pro tempore laid before the Senate a report of the Secretary of the Treasury, made in compliance with a resolution of the Senate of the 12th December, 1848, communicating information relative to the expediency of repealing or modifying the act of June 30, 1834, concerning tonnage duty on Spanish vessels; which was read.

Ordered, That it be printed.

Mr. Bright presented the credentials of the honorable James Whitcomb, chosen a Senator by the Legislature of the State of Indiana, for six years, from and after the fourth day of March next, inclusive; which were read.

Mr. Sturgeon presented a petition of citizens of Pennsylvania, and a petition of citizens and female inhabitants of said State, praying the abolition of slavery and the slave trade in the District of Columbia.

The motion to receive the petitions being objected to:

Ordered, That the motion lie on the table.

Mr. Clarke presented a petition of female inhabitants of the State of Rhode Island, praying the abolition of slavery and the slave trade in the United States, and the adoption of measures for preventing the extension of slavery into the territories of the United States.

The motion to receive the petition being objected to:

Ordered, That it lie on the table.

The President pro tempore laid before the Senate a report of the Secretary of the Treasury, communicating, in compliance with a resolution of the Senate of the 24th February last, information in relation to additional rooms required for the use of the War and Navy Departments, and the expediency of purchasing a building erected by Mr. Winder, in the vicinity of the public offices; which was read, and ordered to be printed.

The President pro tempore laid before the Senate a report of the presiding officer of the Senate, and Secretary of the Senate, prepared *in pursuance* of the joint resolution of August 3, 1846, in

relation to the execution of the printing for the thirty-first Congress; which was read.

Mr. Downs presented the credentials of Pierre Soulé, chosen a Senator by the General Assembly of the State of Louisiana, for the term of six years, from and after the fourth day of March, 1849; which were read.

On motion by Mr. Downs;

Ordered, That the Committee on Private Land Claims be discharged from the further consideration of the following subjects:

Petition of Joseph Reynes;

Documents relating to the claim of Joseph Walker;

Memorial of J. W. Mason;

Documents relating to the land claim of James A. Scudday.

On motion by Mr. Bright, and by unanimous consent,

Ordered, That five hundred copies of the report of the Commissioner of Patents, and the documents annexed thereto, ordered to be printed at this session, be distributed to the Patent Office, for the use thereof; the said report and documents so ordered to be printed, to be bound in the same manner as those of last session.

On motion by Mr. Sturgeon,

Ordered, That John J. Smith have leave to withdraw his petition and papers.

On motion,

Ordered, That Samuel Walker and Francis G. Betty have leave to withdraw their petitions and papers.

On motion by Mr. Clarke,

Ordered, That John Baldwin have leave to withdraw his petition and papers.

Mr. Breese submitted the following resolution:

Resolved, That the Committee on the Public Lands be authorized to contract with a suitable person to compile and translate, for the use of the Senate, such laws, ordinances, and regulations of Spain and Mexico, as were in force in New Mexico and California on the 13th day of May, 1846: *Provided*, That such compilation and translation shall be made under the superintendence of the Secretary of State, and be laid before the Senate at the commencement of the next session.

The Senate proceeded to consider the resolution by unanimous consent; when,

Resolved, That it pass.

Mr. Johnson, of Louisiana, submitted the following resolution; which was read:

Resolved, That the Secretary of the Treasury and Attorney General report to the Senate, at the next session of Congress, such information in regard to the bonds and guarantees issued by the territorial government of Florida as has been or may be collected and obtained, pursuant to the resolution of the 20th of February, 1847.

Mr. Walker, from the Committee on the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. Mangum the 28th February relating to certain officers and others

in the employ of the Senate, together with the amendments proposed thereto, reported the same amended as follows:

Resolved, That there be allowed and paid, under the direction of the committee to audit and control the contingent expenses of the Senate, to the officers, clerks, clerks to committees, messengers, and pages in the employ of the Senate, and the boys employed in carrying the mail, the same amounts respectively that were allowed them at the last session; and to the officers and messenger of the Library of Congress one-half of the amounts allowed them at the last session; and to the western gate keeper, to each of the regular police of the Capitol, to the fireman of the crypt, the laborers in the Capitol grounds, the sum of one hundred dollars each; to the laborer employed in the centre building, the attendant on the closet, the attendant upon the furnaces of the Senate, and the laborer employed in the ventilation of the Senate, the sum of fifty dollars each; and to Thomas Peters the same per diem as the messengers, from the commencement of this session.

Resolved, That the sergeant-at-arms be authorized to continue John M. Jameson through the recess of the Senate, in charge of the post office and folding room, at the same per diem he now receives.

The Senate proceeded to consider the said resolutions; and

Resolved, That they pass.

Mr. Dix submitted the following resolution:

Resolved, That the sum of two hundred dollars be paid out of the contingent fund to Robert Beale for his services and expenses in attending the funeral of the late Dixon H. Lewis.

The Senate proceeded to consider the said resolution by unanimous consent; and

Resolved, That it pass.

Mr. Cameron submitted the following resolution:

Resolved, That there be paid under the direction of the committee to audit and control the contingent expenses of the Senate, to compensate for services performed in carrying into effect the joint resolution requiring proposals to be advertised for and received to execute the printing of Congress; for making the calculations necessary to ascertain the lowest bids; for preparing the contracts and bonds required by law, and attending to that business generally, under the direction of the presiding officers of the two Houses, the Secretary of the Senate and Clerk of the House of Representatives, three hundred dollars for each occasion of making those contracts.

The Senate proceeded by unanimous consent to consider the resolution; and having been amended, on the motion of Mr. Niles, by adding thereto the following:

Resolved, That there be allowed and paid to the officers and messenger of the Library of Congress such additional sum to the allowance provided for in a resolution passed this day as shall give them a sum equal to that allowed to the messengers of the Senate.

Resolved, That the said resolutions pass.

Mr. Breese, from the Committee on Public Lands, to whom was *referred the* resolution (H. R. 61) granting to the Secretary of the

Treasury further time to make the report concerning the sale and entry of certain lands in Cincinnati, reported it without amendment.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the petition of Peter A. Carnes, submitted a report, accompanied by a bill (S. 491) for his relief.

The bill was read and passed to the second reading.

Ordered, That the report be printed.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the resolution, passed by the Senate, "that the 16th joint rule of the two Houses be suspended as to all matters relating to 'an act for changing the location of a land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.'"

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 291) requiring all moneys receivable from customs, and from all other sources, to be paid immediately into the treasury without abatement or deduction, and for other purposes; and having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill was read a third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Dix, from the Committee on Commerce, to whom was referred the bill (H. R. 734) to extend the revenue laws of the United States over the territory and waters of upper California, and to create a collection district therein, reported the same without amendment.

The Senate proceeded to consider the said bill, as in Committee of the Whole; and no amendment being made, it was reported to to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Dickinson, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 553) for the relief of Catharine Clark, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Rusk, from the committee, reported that they had examined and found duly enrolled the bill (S 398) to grant the right of way to the Mobile and Ohio Railroad Company.

Mr. Fitzpatrick, from the Committee of Claims, to whom was referred the bill (H. R. 704) for the relief of Samuel Perry, reported it without amendment.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 746) to authorize the coinage of twenty dollar and one dollar gold pieces at the mint of the United States and its branches; and having been amended, it was reported to the Senate, and the amendments were concurred in.

Ordered, That the amendments be engrossed and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That it pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom was referred the bill (H. R. 747) to provide for the settlement of the accounts of public officers and others who may have received moneys arising from military contributions or otherwise in Mexico, reported it with an amendment.

The Senate proceeded to consider the said bill, as in Committee of Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the resolution from the Senate (S. 70) to fix the meaning of the second section of an act for changing the location of the land office in the Chippewa land district in the State of Wisconsin.

They concur in the amendment of the Senate to the bill (H. R. 754) making appropriations for the Post Office Department for the year ending the 30th of June, 1850.

The Speaker of the House of Representatives having signed ten enrolled bills and two enrolled resolutions, I am directed to bring them to the Senate for the signature of their President.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following bills and resolutions:

H. R. 773. An act for the relief of Major Charles Larrabee.

H. R. 76. An act for the relief of David Thomas, of Philadelphia.

H. R. 621. An act for the relief of Captain Alexander McEwen.

H. R. 181. An act for the relief of John P. Skinner and the legal representatives of Isaac Green.

H. R. 347. An act for the relief of the legal representatives of George W. Milam.

H. R. 354. An act for the relief of Dr. Adolphus Wizlizenus.

H. R. 464. An act for the relief of William Lott.

H. R. 531. An act for the relief of James Moorhead.

H. R. 659. An act further to continue in force the acts for the payment of horses and other property lost in the military service of the United States.

H. R. 57. A joint resolution for the relief of pursers in the navy as to expenditures made in pursuance of orders during the war with Mexico, and for other purposes.

S. 70. A resolution to fix the meaning of the second section of an act for changing the location of the land office in the Chippewa land district, in the State of Wisconsin.

The President pro tempore signed the ten enrolled bills (S. 398, H. R. 773, 76, 621, 181, 347, 354, 464, 531, 659) and the two enrolled resolutions (H. R. 51, S. R. 70) last reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

A message from the President of the United States by Mr. Walker, his secretary:

Mr. President: The President of the United States approved and signed, the 2d instant, the following acts:

S. 484. An act to amend an act entitled "An act for authenticating certain records," approved February 22, 1849.

S. 399. An act to define the period of disability imposed upon certain bidders for mail contracts.

S. 59. An act to authorize the Secretary of the Treasury to make an equitable settlement with the sureties of Robert T. Lytle, late surveyor general of the district of Ohio.

S. 411. An act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.

S. 295. An act to allow subsistence to certain Arkansas and other volunteers who have been prisoners of war in Mexico.

S. 258. An act concerning the pay department of the army.

S. 413. An act declaratory of the act for the admission of the State of Iowa into the Union.

S. 227. An act to provide for the final settlement of the accounts of Abraham Edwards, register of the land office at Kalamazoo, Michigan.

S. 56. An act authorizing the Secretary of War to furnish arms and ammunition to persons immigrating to the territories of Oregon, California, and New Mexico.

S. 473. An act to continue the light at Sands's point, on Long Island.

S. 225. An act to provide for the final settlement of the accounts of Thomas C. Sheldon, late receiver of public moneys at Kalamazoo, Michigan.

S. 393. An act to provide for an increase of the medical staff,

and for an additional number of chaplains of the army of the United States.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 299) to establish the collection district of Brazos de Santa Iago, in the State of Texas; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider their amendments, amended and disagreed to by the House of Representatives, to the bill (H. R. 695) making appropriations for the support of the army for the year ending the 30th of June, 1850; and

Resolved, That they disagree to the amendment of the House to the 10th amendment; insist on their 1st, 2d, 5th, 8th, 9th, and 11th amendments, disagreed to by the House of Representatives; and ask a conference on the disagreeing votes of the two Houses.

Ordered, That Mr. Davis, of Mississippi, Mr. Badger, and Mr. Rusk, be the committee on conference on the part of the Senate.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Douglas,

Ordered, That the Committee on Territories be discharged from the further consideration of the bill (H. R. 685) "to establish the territorial government of Upper California."

The Senate proceeded to consider, as in Committee of the Whole, the following bills and joint resolution:

H. R. 406. An act to authorize the citizens of Ozark county, Missouri, to enter less than a quarter section of land for the seat of justice in said county;

H. R. 545. An act for the relief of Polly Dameron, widow of Charles Dameron, deceased;

H. R. 566. An act for the relief of John H. Ohl;

H. R. 61. Resolution granting to the Secretary of the Treasury further time to make the report concerning the sale and entry of certain lands in Cincinnati; and,

No amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills and resolution were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider the amendment of the House of Representatives to the amendments of the Senate to the bill (H. R. 700) to amend the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union;" and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

Mr. Hannegan, from the Committee on Foreign Relations, to

whom was referred the amendment of the House of Representatives to the bill (S. 343) to provide for carrying into effect the fifth article of the treaty between the United States and the Mexican republic for establishing the boundary line between them, reported thereon.

The Senate proceeded to consider the said amendment; and,

On motion by Mr. Allen,

Ordered, That the bill, with the amendment, lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 677. An act for the relief of Sidney Flowers, of Louisiana, and for other purposes;

H. R. 403. An act for the relief of Samuel A. Grier;

H. R. 569. An act for the relief of the president and directors of the Union Bank of Florida;

H. R. 458. An act for the relief of Maurice R. Simmons;

H. R. 742. An act to incorporate the Oak Hill Cemetery, in the District of Columbia; and,

No amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the 4th, 5th, 6th, 7th, 8th, and 11th of the amendments of the Senate to the bill (H. R. 699) making appropriations for the naval service for the year ending 30th June, 1849; they disagree to the 1st, 2d, 3d, 9th, 10th, 11th, and 13th amendments of the Senate to the said bill; and concur in the 14th amendment of the Senate, with an amendment, in which they request the concurrence of the Senate.

The Senate proceeded to consider their amendments, amended and disagreed to by the House of Representatives, to the bill last mentioned; and,

Resolved, That they insist on their amendments, disagreed to by the House of Representatives; disagree to the amendment of the House to their 14th amendment, and ask a conference on the disagreeing votes of the two Houses.

Ordered, That Mr. Badger, Mr. Hunter, and Mr. Yulee, be the committee of conference on the part of the Senate.

On motion by Mr. Rusk,

Ordered, That Samuel Walker have leave to withdraw his petition and papers.

The Senate proceeded to consider, as in Committee of the Whole, the joint resolution (H. R. 52) relative to evidence in applications for pensions by widows of deceased soldiers under the act of July 21, 1848; and no amendment being made, it was reported to the Senate:

Ordered, That it pass to a third reading.

The said resolution was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Johnson, of Louisiana, from the Committee on Pensions, to whom was referred the bill (H. R. 752) for the relief of Houghton A. Fletcher, reported it without amendment.

On motion by Mr. Cameron, and by unanimous consent,

Resolved, That the 16th joint rule of the two Houses be suspended, so far as relates to the resolution (S. R. 71) relative to the public printing.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

On motion by Mr. Walker, and by unanimous consent

Resolved, That the 17th joint rule of the two Houses be suspended until the end of the present session of Congress.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the bill from the Senate (S. 185) for the relief of James B. Carson.

They have passed the bill (S. 485) making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes, with amendments; in which they request the concurrence of the Senate.

The Senate proceeded to consider the amendments of the House of Representatives to the bill last mentioned; and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

On motion by Mr. Douglas, that the Senate proceed to the consideration of the bill (H. R. 685) "to establish the territorial government of Upper California."

It was determined in the negative, { Yeas ..... 25 / Nays 28

On motion,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Baldwin, Bell, Bradbury, Breese, Clarke, Corwin, Davis, of Massachusetts, Dayton, Dix, Dodge, of Iowa, Douglas, Felch, Greene, Hale, Hamlin, Jones, Miller, Niles, Phelps, Spruance, Upham, Wales, Walker, Webster.

Those who voted in the negative are,

Messrs. Atchison, Badger, Berrien, Bright, Butler, Calhoun, Cameron, Davis, of Mississippi, Downs, Fitzgerald, Fitzpatrick, Hannegan, Houston, Hunter, Johnson, of Louisiana, Johnson, of Georgia, King, Mangum, Mason, Metcalfe, Pearce, Rusk, Sebastian, Sturgeon, Turney, Underwood, Westcott, Yulee.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 213) for the relief of Mrs. Mary B. Renner; and,

On motion,

Ordered, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 813) to make arrangements for taking the seventh census; and having been amended, it was reported to the Senate; and the amendment was concurred in.

Ordered, That the amendment be engrossed, and the bill read a third time.

The said bill was read a third time as amended.

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendment.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives agree to the first, and disagree to the second amendment of the Senate to the resolution (S. R. 55) authorizing the distribution of the American Archives, under the direction of the joint Committee on the Library, to literary institutions in the several States and territories.

They have passed the bill from the Senate (S. 299) to establish the collection district of Brasos de Santiago, in the State of Texas, with amendments; in which they request the concurrence of the Senate.

They recede from their 9th amendment, disagreed to by the Senate, to the bill (S. 152) to establish the territorial government of Minnesota.

They concur in the resolution passed by the Senate to suspend the 17th joint rule until the end of the present session.

They agree to the conference asked by the Senate on the disagreeing votes of the two Houses on the bill (H. R. 699) making appropriations for the naval service for the year ending the 30th of June, 1850; and have appointed Mr. Hudson, Mr. McKay, and Mr. White the committee of conference on their part.

They concur in the second amendment of the Senate to the bill (H. R. 291) requiring all moneys receivable from customs and from all other sources to be paid immediately into the treasury, without abatement or deduction, and for other purposes, with an amendment; and agree to the residue of the amendments of the Senate to the said bill.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 299) to establish the collection district of Brazos de Santiago, in the State of Texas; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Hunter, from the Committee on Finance, to whom was referred the bill (H. R. 764) to establish the home department, and to provide for the Treasury Department an assistant Secretary of

the Treasury and a commissioner of the customs, reported it with amendments.

The Senate proceeded to consider their amendment, disagreed to by the House of Representatives to the bill (H. R. 686) making appropriations for certain fortifications of the United States for the year ending the 30th of June, 1850; and,

On motion by Mr. Atherton,

Resolved, That the Senate recede therefrom.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendment of the House of Representatives to the second amendment of the Senate to the bill (H. R. 291) requiring all moneys receivable from customs and from all other sources to be paid immediately into the Treasury, without abatement or deduction, and for other purposes; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the amendments of the Senate to the bill (H. R. 746) to authorize the coinage of twenty dollar and one dollar gold pieces at the mint of the United States, and for other purposes.

They disagree to the report of the committee of conference on the bill (S. 251) for the relief of the personal representative of William A. Slacum, and *adhere* to their amendment to the said bill.

They have passed a resolution to suspend the 16th joint rule, for the present session, so far as relates to certain bills therein mentioned; in which they request the concurrence of the Senate.

They have passed bills of the Senate of the following titles:

S. 22. An act for the relief of Mary McRea, widow of Lieutenant Colonel William McRea, late of the United States army, deceased.

S. 107. An act for the relief of George Center.

S. 198. An act for the relief of Henry D. Garrison.

S. 211. An act for the relief of the owners of the schooner Ticonic.

S. 212. An act for the relief of P. Chouteau, jr., and Company.

S. 476. An act for the relief of Alexander Montgomery, captain and assistant quartermaster of the army.

They have passed the following bills from the Senate, with an amendment to each, in which they request the concurrence of the Senate.

S. 48. An act for the relief of Peter Capella, administrator of Andrew Capella, deceased; and for the relief of John Capo, and for the relief of Elijah Petty, and Hannah Petty, his wife, heirs of John Beardon, deceased.

S. 129. An act for the relief of James F. Sothoron.

S. 301. An act for the relief of Thomas W. Chinn and others.

The Speaker of the House of Representatives having signed six

bills and one resolution, I am directed to bring them to the Senate for the signature of their President.

Mr. Fitzgerald reported from the committee that they had examined and found duly enrolled the following bills and joint resolution:

S. 152. An act to establish the territorial government of Minnesota.

S. 185. An act for the relief of James G. Carson.

S. 277. An act for the relief of William L. Wigent.

S. 485. An act making appropriations for light-houses, light boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes.

S. R. 66. Resolution respecting the claims of A. S. and A. W. Benson.

S. 367. An act to cause the northern boundary of the State of Iowa to be run and marked.

S. 388. An act for the relief of James Hotchkiss.

The President pro tempore signed the six enrolled bills (S. 152, 185, 277, 485, 367, 368) and the enrolled resolution (S. R. 66) last reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 764) to establish the Home Department, and to provide for the Treasury Department an assistant Secretary of the Treasury and a commissioner of the customs;

On motion by Mr. Mason, that it lie on the table,

It was determined in the negative, { Yeas..... 22 / Nays..... 31

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Benton, Borland, Bradbury, Bright, Butler, Calhoun, Dix, Felch, Fitzpatrick, Hamlin, Hunter, King, Mason, Niles, Rusk, Sebastian, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Breese, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dodge, of Iowa, Douglas, Downs, Fitzgerald, Foote, Greene, Hale, Hannegan, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Miller, Pearce, Phelps, Spruance, Underwood, Upham, Wales, Walker, Webster.

After debate,

The hour arrived for taking a recess.

SIX O'CLOCK IN THE EVENING.

The Senate resumed the consideration of the bill (H. R. 764) to establish the Home Department, and to provide for the Treasury Department an assistant Secretary of the Treasury and a commissioner of the customs:

On motion by Mr. Hunter, that it lie on the table,

It was determined in the negative, { Yeas ..... 19 / Nays 29

On motion by Mr. Atherton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atherton, Benton, Berrien, Bradbury, Bright, Butler, Calhoun, Dickinson, Felch, Fitzpatrick, Hunter, Johnson, of Georgia, King, Mason, Niles, Sebastian, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Breese, Clarke, Davis, of Massachusetts, Dayton, Dodge, of Iowa, Douglas, Downs, Fitzgerald, Foote, Greene, Hale, Hamlin, Hannegan, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Metcalfe, Miller, Pearce, Spruance, Underwood, Upham, Wales, Webster.

On the question to agree to the following amendment reported by the committee:

"Section 11, line 12: Strike out the words 'appointing and removing power,' and insert '*direction and placed under the control:*'"

It was determined in the negative, { Yeas ..... 20 / Nays 33

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atherton, Benton, Borland, Bright, Butler, Calhoun, Dickinson, Dix, Felch, Fitzpatrick, Hamlin, Hunter, Johnson, of Georgia, King, Mason, Niles, Sebastian, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Bradbury, Breese, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dodge, of Iowa, Douglas, Downs, Fitzgerald, Foote, Greene, Hale, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Metcalfe, Miller, Pearce, Rusk, Spruance, Underwood, Upham, Wales, Walker, Webster.

On the question to agree to the following reported amendment; strike out the following sections:

"SEC. 12. *And be it further enacted*, That an officer shall be appointed by the President of the United States, by and with the advice and consent of the Senate, in the Department of the Treasury, as one of its bureaus, to be called the Commissioner of Customs, who shall perform all the acts, and exercise all the powers now devolved by law on the First Comptroller of the Treasury, relating to the receipts from customs and the accounts of collectors and other officers of the customs, or connected therewith; who shall hold his office by the same tenure, and receive the same amount of salary as the First Auditor of the Treasury, and payable in the same manner. And the Secretary of the Treasury shall transfer from the office of the First Comptroller such clerks as may be necessary to the bureau of the Commissioner of Customs for

whom the said Secretary of the Treasury shall also appoint one chief clerk, at a salary of seventeen hundred dollars per annum."

"SEC. 13. *And be it further enacted*, That an officer shall be appointed in the Treasury Department by the Secretary of the Treasury, to be called the Assistant Secretary of the Treasury, whose salary shall be three thousand dollars per annum, payable in the same manner as that of the Secretary of the Treasury, who shall examine all letters, contracts, and warrants, prepared for the signature of the Secretary of the Treasury, and who shall perform all such other duties in the office of the Secretary of the Treasury, now performed by some of his clerks, as may be devolved on him by the Secretary of the Treasury, who shall also appoint a clerk at a salary of seventeen hundred dollars per annum, who shall perform such duties as a clerk in the Treasury Department, in aid of said Assistant Secretary, as may be assigned to him by the Secretary of the Treasury."

It was determined in the negative, { Yeas ..... 19 / Nays 34

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Bright, Butler, Calhoun, Dickinson, Dix, Felch, Fitzpatrick, Hamlin, Hunter, Johnson, of Georgia, King, Mason, Niles, Rusk, Sebastian, Sturgeon, Turney.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Bradbury, Breese, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dodge, of Iowa, Douglas, Downs, Fitzgerald, Foote, Greene, Hale, Hannegan, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Metcalfe, Miller, Pearce, Phelps, Spruance, Underwood, Upham, Wales, Walker, Webster.

The remaining amendment reported by the committee having been disagreed to:

On motion by Mr. Mason, to amend the bill, by striking out, section one, line four, after the word "be," the following words: "created a new executive department of the government of the United States, to be called 'the Department of the Interior,' the head of which department shall be called the Secretary of the Interior," and in lieu thereof inserting: "*appointed an officer to be called an Assistant Secretary of the Treasury.*"

It was determined in the negative, { Yeas ..... 23 / Nays 30

On motion,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Benton, Borland, Bradbury, Butler, Calhoun, Cameron, Dickinson, Dix, Felch, Fitzpatrick, Hamlin, Hunter, Johnson, of Georgia, King, Mason, Niles, Sebastian, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Clarke, Corwin, Davis,

of Massachusetts, Davis, of Mississippi, Dayton, Dodge, of Iowa, Douglas, Downs, Fitzgerald, Foote, Hale, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Metcalfe, Miller, Pearce, Phelps, Spruance, Underwood, Upham, Wales, Walker, Webster.

No amendment being made, the bill was reported to the Senate.

On the question, "Shall this bill pass?"

It was determined in the affirmative, { Yeas ..... 31 / Nays 25

On motion,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Baldwin, Bell, Berrien, Breese, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dodge, of Iowa, Douglas, Downs, Fitzgerald, Foote, Greene, Hale, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Metcalfe, Miller, Pearce, Spruance, Underwood, Upham, Wales, Walker, Webster.

Those who voted in the negative are,

Messrs. Allen, Atchison, Atherton, Benton, Borland, Bradbury, Bright, Butler, Calhoun, Cameron, Dickinson, Dix, Felch, Fitzpatrick, Hamlin, Hunter, King, Mason, Niles, Phelps, Rusk, Sebastian, Sturgeon, Turney, Yulee.

So it was

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed a resolution to suspend the sixteenth joint rule for the remainder of the session, in which they request the concurrence of the Senate.

They agree to the conference asked by the Senate on the disagreeing votes of the two Houses on the bill (H. R. 695) making appropriations for the support of the army for the year ending June 30, 1850; and have appointed Mr. Stephens, Mr. Burt, and Mr. Wilson, a committee of conference on their part.

The Speaker of the House of Representatives having signed thirteen enrolled bills and two enrolled resolutions, I am directed to bring them to the Senate for the signature of their President.

Mr. Fitzgerald reported from the committee that they had examined and found duly enrolled the following bills and joint resolutions:

H. R. 747. An act to provide for the settlement of the accounts of public officers and others who may have received moneys arising from military contributions or otherwise in Mexico.

H. R. 742. An act to incorporate the Oak Hill Cemetery, in the District of Columbia.

H. R. 403. An act for the relief of Samuel A. Grier.

H. R. 545. An act for the relief of Polly Dameron, widow of Charles Dameron, deceased.

H. R. 458. An act for the relief of Maurice R. Simons.

H. R. 553. An act for the relief of Catharine Clarke.

H. R. 556. An act for the relief of John F. Ohl.

H. R. 569. An act for the relief of the president and directors of the Union Bank of Florida.

H. R. 677. An act for the relief of Sidney Flowers, of Louisiana, and for other purposes.

H. R. 700. An act to amend the act entitled "An act supplementary to the act for the admission of the States of Iowa and Florida into the Union."

H. R. 754. An act making appropriations for the service of the Post Office Department for the year ending June 30, 1850.

H. R. 406. An act to authorize the citizens of Ozark county, Missouri, to enter forty acres of land for a county site in said county.

H. R. 746. An act to authorize the coinage of gold dollars and double eagles.

H. R. 52. Resolution relative to evidence in applications for pensions of widows of deceased soldiers under the act of July 21, 1848.

H. R. 61. Resolution granting to the Secretary of the Treasury further time to make the report concerning the sale and entry of certain lands in Cincinnati.

The President pro tempore signed the thirteen enrolled bills and the two enrolled resolutions last reported to have been examined; and they were delivered to the committee, to be presented to the President of the United States.

Mr. Fitzgerald reported, from the committee, that they had presented to the President of the United States the thirteen enrolled bills and the two enrolled resolutions last reported to have been examined.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the resolution passed by the Senate to suspend the 16th joint rule so far as respects the resolution (S. R. 71) relative to the public printing.

They have passed the bill from the Senate (S. 45) for the relief of Thomas Talbot and others.

They concur in the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 699) making appropriations for the naval service for the year ending the 30th of June, 1850.

They also concur in the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 695) making appropriations for the support of the army for the year ending the 30th of June, 1850.

Mr. Badger, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 699) making appropriations for the naval service for the year ending the 30th of June, 1850, reported:

That they have met the conferees on the part of the House of

Representatives, and, after full and free conference, have agreed to recommend to the respective Houses as follows:

That the Senate recede from their 1st, 12th, and 13th amendments, and that they recede from their disagreement to the amendment proposed by the House to the 14th amendment of the Senate, with a further amendment, to wit: Strike out the word "directed" in the said amendment, and insert the word "*authorized*."

And that the House recede from their disagreement to the 2d, 3d, 9th, and 10th amendments of the Senate.

The Senate proceeded to consider the said report; and

Resolved, That they concur therein, and that the bill be amended accordingly.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Davis, of Mississippi, from the committee of conference on the part of the Senate on the disagreeing votes of the two Houses on the bill (H. R. 695) making appropriations for the support of the army for the year ending 31st June, 1850, reported:

That they have met the conferees on the part of the House, and after full and free conference, have agreed to recommend to the respective Houses as follows:

That the Senate recede from their 1st and 5th amendments.

That the House recede from their disagreement to the 2d amendment of the Senate, with an amendment: Strike out "and Jenk's carbine," and the words "one hundred," and insert "fifty."

That the House recede from their disagreement to the 8th, 9th, and 11th amendments of the Senate, and also from their amendment to the 10th amendment of the Senate.

The Senate proceeded to consider the report; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendments of the House of Representatives to the bill (S. 48) for the relief of Peter Capella, administrator of Andrew Capella, deceased; and for the relief of John Capo; and for the relief of Elijah Petty and Hannah Petty, his wife, heirs of John Brandon, deceased; and

Resolved, That they concur therein.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 129) for the relief of James F. Sothoron; and

Resolved, That they concur therein.

The Senate proceeded to consider the amendment of the House of Representatives to the bill (S. 301) for the relief of Thomas W. Chinn and others; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed the resolution from the Senate (S. 71) relative to the public printing.

The Speaker of the House of Representatives having signed seven bills and one resolution, I am directed to bring them to the Senate for the signature of their President.

Mr. Dodge, of Iowa, reported from the committee that they had examined and found duly enrolled the following bills and resolution:

S. 198. An act for the relief of Henry D. Garrison.

S. 212. An act for the relief of P. Chouteau, jun., and Company.

S. 107. An act for the relief of George Center.

S. 22. An act for the relief of Mary MacRea, widow of Lieutenant Colonel William MacRea, late of the United States army, deceased;

S. 211. An act for the relief of the owners of the schooner Ticonic.

S. 299. An act to establish a port of entry at the Brazos de Santiago, in the State of Texas, and for other purposes.

S. 45. An act for the relief of Thomas Talbot and others.

S. 71. Resolution relative to the public printing.

The President pro tempore signed the seven bills and the resolution last reported to have been examined; and they were delivered to the committee to be presented to the President of the United States.

Mr. Fitzgerald reported from the committee that they had this day presented to the President of the United States the following acts:

S. 152. An act to establish the territorial government of Minesota.

S. 185. An act for the relief of James G. Carson.

S. 277. An act for the relief of William L. Wigent.

S. 485. An act making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes.

S. 367. An act to cause the northern boundary of the State of Iowa, to be run and marked.

S. 388. An act for the relief of James Hotchkiss.

S. R. 66. Resolution respecting the claims of A. S. and A. W. Benson.

Mr. Rusk reported from the committee that they had presented to the President of the United States the following acts:

S. 70. Resolution to fix the meaning of the second section of an act for changing the location of the land office in the Chippewa land district, in the State of Wisconsin.

H. R. 773. An act for the relief of Major Charles Larrabee.

H. R. 76. An act for the relief of David Thomas, of Philadelphia.

H. R. 621. An act for the relief of Captain Alexander McEwen.

R. 51. Resolution for the relief of pursers in the navy, as to expenditures made in pursuance of orders during the war with Mexico, and for other purposes.

H. R. 181. An act for the relief of John P. Skinner and the legal representatives of Isaac Green.

H. R. 347. An act for the relief of the legal representatives of George W. Milam.

H. R. 354. An act for the relief of Dr. Adolphus Wizlizenus.

H. R. 464. An act for the relief of William Lott.

H. R. 531. An act for the relief of James Moorehead.

H. R. 659. An act further to continue in force the acts for the payment of horses and other property lost in the military service of the United States.

S. 398. An act to grant the right of way to the Mobile and Ohio Railroad Company.

Mr. Dodge, of Iowa, reported from the committee that they had this day presented to the President of the United States the following acts:

S. 71. Resolution relative to the public printing.

S. 198. An act for the relief of Henry D. Garrison.

S. 212. An act for the relief of P. Chouteau, junior, and company.

S. 107. An act for the relief of George Center.

S. 22. An act for the relief of Mary MacRea, widow of Lieutenant Colonel William MacRea, late of the United States army, deceased.

S. 211. An act for the relief of the owners of the schooner Ticonie.

S. 299. An act to establish a port of entry at the Brazos de Santiago, in the State of Texas, and for other purposes.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States this day approved and signed the following acts:

S. 66. Resolution respecting the claims of A. S. and A. W. Benson.

S. 277. An act for the relief of William L. Wigent.

S. 185. An act for the relief of James G. Carson.

S. R. 70. A resolution to fix the meaning of the second section of an act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.

S. 367. An act to cause the northern boundary of Iowa to be run and marked.

S. 388. An act for the relief of James Hotchkiss.

S. 485. An act making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes.

S. 152. An act to establish the territorial government of Minesota.

S. 71. A resolution relative to the public printing.

S. 211. An act for the relief of the owners of the schooner Ticonic.

S. 299. An act to establish a port of entry at the Brazos de Santiago, in the State of Texas, and for other purposes.

S. 22. An act for the relief of Mary MacRea, widow of Lieutenant *Colonel William* MacRea, late of the United States army, deceased.

S. 198. An act for the relief of Henry D. Garrison.

S. 107. An act for the relief of George Center.

S. 212. An act for the relief of Pierre Chouteau, junior, and company.

Ordered, That the Secretary notify the House of Representatives accordingly.

On motion by Mr. Johnson, of Georgia,

Ordered, That leave be given to withdraw the papers relating to the claim of Georgia for the services of militia.

Mr. Atherton, from the committee of conference on the part of the Senate on the disagreeing votes of the two Houses on the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government, for the year ending June 30, 1850, and for other purposes, reported:

"That they have met the committee of conference on the part of the House of Representatives, and, after full and free conference, they could come to no agreement."

Mr. Atherton, from the committee of conference on the part of the Senate on the disagreeing votes of the two Houses on the bill (H. R. 691) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1850, reported—

"That they have met the conferees on the part of the House of Representatives, and after full and free conference, the two committees could come to no agreement."

The Senate proceeded to consider their amendments, amended and disagreed to by the House of Representatives, to the bill (H. R. 691) making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1850; and,

Resolved, That they concur in the amendment of the House of Representatives to the 9th amendment of the Senate; and that the Senate disagree to the amendment of the House to the 10th amendment of the Senate, and recede from their said 10th amendment.

Ordered, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the resolution of the House of Representatives to suspend the 16th joint rule so far as relates to bills numbered 396, 739, 487, 737, 741, 738, and to resolution numbered 62; and,

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives thereof.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives have passed bills of the following titles:

H. R. 396. Act to establish a branch mint of the United States in the *city of New York;*

H. R. 487. Act to settle the title to certain tracts of land in the State of Arkansas;

H. R. 737. Act for recording the conveyance of vessels, and for other purposes;

H. R. 738. Act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels, and the regulation thereof;

H. R. 739. An act to abolish imprisonment for debt in certain cases;

H. R. 741. An act to reduce the minimum price of the mineral lands in the Lake Superior district, in Michigan, and in the Chippewa district, in Wisconsin;

H. R. 779. An act for the relief of James Norris;

H. R. 780. An act for the relief of Daniel Wilson; in which they request the concurrence of the Senate.

The bill (H. R. 779) for the relief of James Norris was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and having been amended, it was reported to the Senate, and the amendment was concurred in.

Ordered, That the amendment be engrossed and the bill read a third time.

The said bill was read a third time; and the title thereof was amended, by adding thereto "and for other purposes."

Resolved, That this bill pass with amendments.

Ordered, That the Secretary request the concurrence of the House of Representatives in the amendments.

The bill (H. R. 737) for recording the conveyance of vessels, and for other purposes, was read the first and second times by unanimous consent, and considered as in Committee of the Whole; and,

On motion,

Ordered, That it lie on the table.

The following bills were severally read the first and second times by unanimous consent, and considered as in Committee of the Whole:

H. R. 487. An act to settle the title to certain tracts of land in the State of Arkansas;

H. R. 738. An act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels, and the regulation thereof;

H. R. 780. An act for the relief of Daniel Wilson; and,

No amendment being made, they were reported to the Senate.

Resolved, That the said bills pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Fitzgerald presented the credentials of the honorable Lewis Cass, chosen a Senator by the Senate and House of Representatives of the State of Michigan to fill the vacancy occasioned by his own resignation; which was read, and the oath prescribed by law was administered to him, and he took his seat in the Senate.

Mr. Hannegan, from the Committee on Foreign Relations, to whom were referred the amendments of the House of Representa-

tives to the bill (H. R. 313) to carry into effect certain stipulations of the treaty between the United States of America and the republic of Mexico, of the 2d day of February, 1848, reported thereon.

The Senate proceeded to consider the amendments of the House of Representatives to the bill last mentioned; and

Resolved, That they concur therein.

Ordered, That the Secretary notify the House of Representatives accordingly.

The bill (H. R. 396) to establish a branch mint of the United States in the city of New York was read the first and second time by unanimous consent, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

On motion that it be now read a third time,

It was objected to as against the rule.

The Senate proceeded to consider, as in Committee of the Whole, the following bills:

H. R. 759. An act for the relief of Charles McLane, of Missouri;

H. R. 463. An act for the relief of Andrew Flanegan;

H. R. 385. Act for the relief of John Savage;

H. R. 510. Act for the relief of Lowry Williams;

H. R. 7. Resolution for the relief of George R. Smith;

H. R. 52. Act for the relief of Charles Benns;

H. R. 548. Act for the relief of Mary Buck;

H. R. 481. Act for the relief of William P. Yonge;

H. R. 285. Act for the relief of John Campbell;

H. R. 451. Act for the relief of William H. Wilson;

H. R. 313. Act for the relief of John A. Young, a commander in the navy of the United States;

H. R. 678. Act for the relief of Amelia Couvillion, of Louisiana;

H. R. 280. Act for the relief of James Fugate;

H. R. 447. Act for the relief of Polly Aldrich;

H. R. 53. Act for the relief of John W. Hockett;

H. R. 272. Act for the relief of H. Carrington, executor of Paulina Le Grand, deceased;

H. R. 215. Act for the relief of Peter Shaffer;

H. R. 583 Act for the relief of Thomas H. Noble;

H. R. 609. Act for the relief of Eve Boggs;

H. R. 210. Act for the relief of Hervey Jones;

H. R. 214. Act for the relief of Noah A. Phelps;

H. R. 622. Act for the relief of Elizabeth S. Cobbs;

H. R. 161. Act for the relief of the legal representatives of Captain George R. Shoemaker;

H. R. 461. Act for the relief of Robert Ramsay;

H. R. 279. Act for the relief of Jesse Washington Jackson;

H. R. 734. Act to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein; and

No amendment being made, they were reported to the Senate.

Ordered, That they pass to a third reading.

The said bills were read a third time.

Resolved, That they pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the following bills:

S. 129. Act for the relief of James F. Sothoron.

S. 301. Act for the relief of Thomas W. Chinn and others.

S. 313. Act to carry into effect certain stipulations of the treaty between the United States of America and the republic of Mexico, of the 2d day of February, 1848.

S. 48. Act for the relief of Peter Capella, administrator of Andrew Capella, deceased; and for the relief of John Capo; and for the relief of Eliza Petty and Hannah Petty, his wife, heirs of John Beardon.

H. R. 695. Act making appropriations for the support of the army for the year ending the 30th June, 1850.

H. R. 764. Act to establish the home department, and to provide for the Treasury Department an assistant Secretary of the Treasury and a commissioner of the customs.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed six enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The President pro tempore signed the six enrolled bills (S. 129, S. 301, S. 313, S. 48; H. R. 695, 764) last reported to have been examined, and they were delivered to the committoe to be presented to the President of the United States.

Mr. Rusk reported from the committee that they had presented to the President of the United States the six bills (S. 129, 301, 313, 48, H. R. 695, 764) last reported to have been examined.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 379) for the relief of Benjamin Reefsnyder; and

On motion,

Ordered, That it lie on the table.

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 505) for the relief of Mary W. Thompson; and

On motion,

Ordered, That it lie on the table.

On motion by Mr. Atherton,

Ordered, That John Whitman have leave to withdraw his petition and papers.

On motion by Mr. Clarke,

Ordered, That John Baldwin have leave to withdraw his petition and papers.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the amendment of the Senate to the bill (H. R. 52) for the relief of Charles Binns; they concur in the amendments of the Senate to *the bill (H. R. 779)* for the relief of James Norris; and they also

concur in the amendment of the Senate to the bill (H. R. 813) to make arrangements for taking the seventh census.

On motion by Mr. Bell,

Ordered, That the Committee on Indian Affairs be discharged from all subjects referred to the committee and not reported on.

On motion by Mr. Badger,

Ordered, That the Committee on Naval Affairs be discharged from all subjects referred to the committee and not reported on.

On motion by Mr. Dix,

Ordered, That the Committee on Commerce be discharged from all subjects referred to the committee and not reported on.

On motion by Mr. Cameron,

Ordered, That Richard Cochran have leave to withdraw his petition and papers.

On motion by Mr. Bright,

Ordered, That the Committee on Revolutionary Claims be discharged from all subjects referred to the committee and not reported on.

On motion by Mr. Hannegan,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of all subjects referred to the committee and not reported on.

Mr. Johnson, of Maryland, from the Committee on Naval Affairs, to whom was referred the resolution (H. R. 47) for the purchase of copies of the General Navy Register and Laws, reported the same without amendment.

The Senate proceeded to consider the said resolution as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said resolution was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bradbury, from the Committee of Claims, to whom was referred the bill (H. R. 568) for the relief Satterlee Clarke, reported it without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary notify the House of Representatives thereof.

Mr. Bradbury, from the Committee of Claims, to whom was referred the bill (H. R. 13) for the relief of Daniel Robinson, reported the same without amendment.

The Senate proceeded to consider the said bill as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Ordered, That it pass to a third reading.

The said bill was read a third time.

Resolved, That this bill pass.

Ordered, That the Secretary notify the House of Representatives thereof.

The Senate proceeded to consider, as in Committee of the Whole, the bill (S. 476) for the relief of Alexander Montgomery, captain and assistant quartermaster of the army; and no amendment being made, it was reported to the Senate.

Ordered, That it be engrossed and read a third time.

The said bill was read a third time.

Resolved, That it pass.

Ordered, That the Secretary request the concurrence of the House of Representatives therein.

A message from the House of Representatives, by Mr. Campbell their Clerk:

Mr. President: The House of Representatives concur in the 53d amendment of the Senate to the bill (H. R. 692,) making appropriations for the civil and diplomatic expenses of government, for the year ending the 30th June, 1850, with an amendment, in which they request the concurrence of the Senate; and recede from their disagreement to the other amendments of the Senate thereto.

They have passed the following bills of the Senate:

S. 476. Bill for the relief of Alexander Montgomery, captain and assistant quartermaster of the army.

S. 282. Bill for the better organization of the district court of the United States within the State of Louisiana.

The Senate proceeded to consider the amendment of the House of Representatives to the 53d amendment of the Senate to the bill (H. R. 695,) making appropriations for the civil and diplomatic expenses of the government, for the year ending the 30th of June, 1850.

On motion by Mr. Mason to amend the proposed amendment, by striking out lines 4 and 5, of the 2d section, the words "the existing laws thereof shall be retained and observed and that."

A motion was made by Mr. Yulee that the Senate adjourn; and

It was determined in the negative.

On the question to agree to the amendment proposed by Mr. Mason,

It was determined in the negative, { Yeas..... 21 / Nays..... 27

On motion by Mr. Berrien,

The yeas and nays being desired by one fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bell, Berrien, Butler, Cameron, Davis, of Mississippi, Dickinson, Downs, Fitzpatrick, Foote, Houston, Hunter, Johnson, of Georgia, King, Mangum, Mason, Rusk, Sebastian, Turney, Westcott, Yulee.

Those who voted in the negative are,

Messrs. Atherton, Baldwin, Bradbury, Bright, Clarke, Corwin, *Davis, of Massachusetts*, Dayton, Dix, Dodge, of Iowa, Douglas, *Felch, Greene*, Hale, Hamlin, Johnson, of Maryland, Jones,

Metcalfe, Miller, Niles, Pearce, Spruance, Underwood, Upham, Wales, Walker, Webster.

After debate,

On motion, by Mr. Foote, that the Senate adjourn,

It was determined in the negative, { Yeas ..... 7 / Nays 34

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Fitzpatrick, Hale, Hunter, Johnson, of Georgia, Mason, Niles, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Atherton, Baldwin, Bell, Berrien, Bradbury, Bright, Butler, Cameron, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dodge, of Iowa, Douglas, Downs, Greene, Houston, Johnson, of Maryland, Jones, Mangum, Metcalfe, Miller, Niles, Pearce, Rusk, Spruance, Sturgeon, Underwood, Upham, Wales, Walker, Webster.

On motion by Mr. Atherton,

That the Senate disagree to the amendment of the House of Representatives to the 53d amendment of the Senate to the said bill, and that they recede from their said 53d amendment.

It was determined in the affirmative, { Yeas ..... 38 / Nays 7

On motion by Mr. Yulee,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Baldwin, Bell, Berrien, Bradbury, Bright, Butler, Cameron, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dickinson, Dix, Downs, Felch, Fitzpatrick, Greene, Hale, Hannegan, Houston, Hunter, Johnson, of Maryland, Johnson, of Georgia, Jones, Mangum, Mason, Miller, Niles, Pearce, Rusk, Spruance, Turney, Upham, Wales, Webster.

Those who voted in the negative are,

Messrs. Dodge, of Iowa, Douglas, Metcalfe, Sturgeon, Underwood, Walker, Westcott.

So it was

Resolved, That the Senate disagree to the amendment of the House of Representatives to the 53d amendment to the said bill; and that they recede from their said 53d amendment.

Ordered, That the secretary notify the House of Representatives accordingly.

Mr. Rusk reported from the committee, that they had examined and found duly enrolled, the following bills and resolutions:.

H. R. 738. Act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels, and the regulations thereof.

H. R. 583. Act for the relief of Thomas H. Noble.

H. R. 609. Act for the relief of Eve Boggs.

H. R. 7. Resolution for the relief of George R. Smith.

H. R. 759. Act for the relief of Charles McLane, of Missouri.

H. R. 487. Act to settle the title to certain tracts of land in the State of Arkansas.

H. R. 47. Resolution for the purchase of copies of the General Navy Register and Laws.

H. R. 678. Act for the relief of Amilia Covillion, of Louisiana.

H. R. 548. Act for the relief of Mary Buck.

H. R. 510. Act for the relief of Lowrey Williams.

H. R. 481. Act for the relief of William P. Young.

H. R. 463. Act for the relief of Andrew Flanegan.

H. R. 451. Act for the relief of William H. Wilson.

H. R. 313. Act for the relief of John J. Young, a commander in the navy of the United States.

H. R. 285. Act for the relief of John Campbell.

H. R. 385. Act for the relief of John Savage.

H. R. 280. Act for the relief of James Fugate.

H. R. 447. Act for the relief of Polly Aldrich.

H. R. 215. Act for the relief of Peter Shaffer.

H. R. 568. Act for the relief of Satterlee Clark.

H. R. 272. Act for the relief of H. Carrington, executor of Pauline Le Grand, deceased.

H. R. 53. Act for the relief of John W. Hackett.

H. R. 291. Act requiring all moneys receivable from customs and from all other sources, to be paid immediately into the treasury without abatement or reduction, and for other purposes.

A message from the House of Representatives, by Mr. Campbell, their Clerk.

Mr. President: The Speaker of the House of Representatives having signed twenty-one enrolled bills, and two enrolled resolutions, I am directed to bring them to the Senate for the signature of their President.

The President pro tempore signed the twenty-one enrolled bills, and the two enrolled resolutions last reported to have been examined, and they were delivered to the committee to be delivered to the President of the United States.

Mr. Rusk reported from the committee, that they had examined and found duly enrolled, the following bills:

H. R. 210. Act for the relief of Henry Jones.

H. R. 780. Act for the relief of Daniel Wilson.

H. R. 686. Act making appropriations for certain fortifications of the United States, for the year ending the 30th of June, 1850.

H. R. 691. Act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1850.

H. R. 699. Act making appropriations for the naval service for the year ending the 30th of June, 1850.

H. R. 214. An act for the relief of Noah Phelps.

A message from the House of Representatives, by Mr. Campbell their Clerk.

Mr. President: The Speaker of the House of Representatives

having signed six enrolled bills, I am directed to bring them to the Senate for the signature of their President.

The President pro tempore signed the six enrolled bills (H. R. 210, 780, 686, 691, 699, 214,) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. Dodge reported from the committee, that they had examined and found duly enrolled the following bills:

S. 476. An act for the relief of Alexander Montgomery, captain and assistant quartermaster of the army.

S. 282. An act for the better organization of the district court of the United States, within the State of Louisiana.

H. R. 161. An act for the relief of George R. Shoemaker.

H. R. 779. An act for the relief of James Norris, and for other purposes.

H. R. 279. An act for the relief of Jessee W. Jackson.

H. R. 813. An act to make arrangements for taking the seventh census.

H. R. 461. An act for the relief of Robert Ramsay.

H. R. 52. An act for the relief of Charles Benns.

H. R. 622. An act for the relief of Elizabeth S. Cobbs.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed nine enrolled bills, I am directed to bring them to the Senate, for the signature of their President.

The President pro tempore signed the nine enrolled bills (S. 476, 282, H. R. 161, 779, H. R. 279, 813, 461, 52, 622) last reported to have been examined, and they were delivered to the committee to be presented to the President of the United States.

Mr. Rusk reported from the committee that they had examined and found duly enrolled the bill (H. R. 692) making appropriations for the civil and diplomatic expenses of government, for the year ending the 30th of June, 1850; also the enrolled bill (H. R. 13) for the relief of Daniel Robinson.

Mr. Dodge reported from the committee that they had examined and found duly enrolled the bill (H. R. 734) to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of their President:

The Vice President signed the three enrolled bills (H. R. 692, 13, 734) last reported to have been examined, and they were delivered to the committee, to be presented to the President of the United States.

Mr. Rusk reported from the committee, that they had this day presented to the President of the United States the following acts:

H. R. 7. Resolution for the relief of George R. Smith.
H. R. 53. Act for the relief of John W. Hackett.
H. R. 210. Act for the relief of Hervey Jones.
H. R. 215. Act for the relief of Peter Shaffer.
H. R. 272. Act for the relief of H. Carrington, executor of Paulina Le Grand, deceased.
H. R. 280. Act for the relief James Fugate.
H. R. 285. Act for the relief of John Campbell.
H. R. 291. Act requiring all moneys receivable from customs and from all other sources, to be paid immediately into the treasury, without abatement or reduction, and for other purposes.
H. R. 313. Act for the relief of John J. Young, a commander in the navy of the United States.
H. R. 385. Act for the relief of John Savage.
H. R. 463. Act for the relief of Andrew Flanegan.
H. R. 481. Act for the relief of William P. Yonge.
H. R. 487. Act to settle the title to certain tracts of land in the State of Arkansas.
H. R. 510. Act for the relief of Lowrey Williams.
H. R. 548. Act for the relief of Mary Buck.
H. R. 558. Act for the relief of Satterlee Clark.
H. R. 583. Act for the relief of Thomas H. Noble.
H. R. 609. Act for the relief of Eve Boggs.
H. R. 678. Act for the relief of Amelia Covillion, of Louisiana.
H. R. 691. Act making appropriations for the current and contingent expenses of Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1850.
H. R. 738. Act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels, and the regulation thereof.
H. R. 47. Resolution for the purchase of copies of the general navy regulations and laws.
H. R. 779. Act for the relief of James Norris, and for other purposes.
H. R. 813. Act to make arrangements for taking the seventh census.
H. R. 52. Act for the relief of Charles Benns.
H. R. 461. Act for the relief of Robert Ramsey.
H. R. 278. Act for the relief of Jesse Washington Jackson.
H. R. 161. Act for the relief of the legal representatives of Captain George R. Shoemaker, deceased.
H. R. 622. Act for the relief of Elizabeth S. Cobbs.
H. R. 13. Act for the relief of Daniel Robinson.
H. R. 759. Act for the relief of Charles McLane, of Missouri.

Mr. Dodge reported from the committee, that they had presented to the President of the United States, the following acts:

S. 45. Act for the relief of Thomas Talbot and others.
S. 282. An act for the better organization of the district court of the United States within the State of Louisiana.

S. 476. An act for the relief of Alexander Montgomery, captain and assistant quartermaster of the army.

H. R. 692. An act making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1850.

H. R. 734. An act to extend revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein.

A message from the President of the United States, by Mr. Walker, his secretary:

Mr. President: The President of the United States this day approved and signed the following acts:

S. 45. An act for the relief of Thomas Talbot and others.

S. 48. An act for the relief of Peter Capella, administrator of Andrew Capella, deceased; and for the relief of John Capo, and for the relief of Elijah Petty, his wife, heirs of John Beardon, deceased.

S. 129. An act for the relief of James F. Sotheron.

S. 301. An act for the relief of Thomas W. Chinn and others.

S. 313. An act to carry into effect certain stipulations of the treaty between the United States of America and the republic of Mexico of the 2d day of February, 1848.

S. 398. An act to grant the right of way to the Mobile and Ohio Railroad Company.

S. 405. An act to grant to the Atlantic and Gulf Railroad Company the right of way through the public lands of the United States.

S. 476. An act for the relief of Alexander Montgomery, captain and assistant quartermaster of the army.

S. 282. An act for the better organization of the district court of the United States within the State of Louisiana.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Campbell, their Clerk:

Mr. President: I am directed to inform the Senate that the House of Representatives having no business before it, are, if the Senate have no communication to make to it, now ready to adjourn.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The President of the United States approved and signed, the 2d instant, the following bills:

H. R. 698. An act making appropriations for the payment of navy pensions for the year ending the 30th June, 1850.

H. R. 184. An act to amend the charter of the Provident Association of Clerks in the city of Washington.

H. R. 359. An act for the relief of A. C. Bryan and others.

H. R. 725. An act for the relief of B. O. Payne of Albany, New York.

H. R. 802. An act for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes.

H. R. 799. An act for the benefit of Peter M. Grant.

H. R. 795. An act for the relief of Solomon Davis.

H. R. 282. An act for the relief of Lizur B. Canfield.

H. R. 401. An act for the relief of Joshua Barney, United States agent.

H. R. 635. An act to aid the State of Louisiana in draining the swamp lands therein.

H. R. 15. An act for the settlement of the claims of New Hampshire against the United States.

H. R. 574. An act granting a half section of land for the uses of schools within fractional township nineteen south, of range eighteen west, county of Lowndes, State of Mississippi.

H. R. 497. An act for the relief of E. B. Cogswell.

H. R. 797. An act in relation to the Fox and Wisconsin reservation in the State of Wisconsin; and

This day, the following bills and resolutions:

H. R. 754. An act making appropriations for the service of the Post Office Department for the year ending June 30, 1850.

H. R. 547. An act for the relief of Mary G. Leverett.

H. R. 791. An act declaring Fort Covington, in the State of New York, to be a port of delivery, and for other purposes.

H. R. 677. An act for the relief of Sidney Flowers, of Louisiana, and for other purposes.

H. R. 458. An act for the relief of Maurice R. Simons.

H. R. 805. An act to authorize the judge of the courts of the United States of the fifth circuit to hold the circuit court for the district of Kentucky.

H. R. 804. An act concerning the selection of jurors in certain courts of the United States.

H. R. 341. An act for the relief of Joel Thacker.

H. R. 344. An act to transfer the towns of Vinal Haven, North Haven, and Islesboro', from the collection district of Penobscot to that of Belfast, in the State of Maine.

H. R. 742. An act to incorporate the Oak Hill Cemetery in the District of Columbia.

H. R. 747. An act to provide for the settlement of the accounts of public officers and others, who may have received moneys arising from military contributions, or otherwise in Mexico.

H. R. 531. An act for the relief of James Moorhead.

H. R. 464. An act for the relief of William Lott.

H. R. 354. An act for the relief Dr. Adolphus Wizlizenus.

H. R. 659. An act further to continue in force the acts for the payment of horses, and other property, lost in the military service of the United States.

H. R. 700. An act to amend the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union."

H. R. 569. An act for the relief of the President and directors of the Union Bank of Florida.

H. R. 181. An act for the relief of John P. Skinner, and the *legal representatives* of Isaac Green.

H. R. 621. An act for the relief of Captain Alexander McEwen.
H. R. 566. An act for the relief of John F. Ohl.
H. R. 553. An act for the relief of Catherine Clark.
H. R. 545. An act for the relief of Polly Dameron, widow of Charles Dameron, deceased.
H. R. 76. An act for the relief of David Thomas of Philadelphia.
H. R. 403. An act for the relief of Samuel A. Grier.
H. R. 773. An act for the relief of Major Charles Larrabee.
H. R. 746. An act to authorize the coinage of gold dollars and double eagles.
H. R 406. An act to authorize the citizens of Ozark county, Missouri, to enter forty acres of land for a county site in said county.
H. R. 161. An act for the relief of the legal representatives of Captain George R. Shoemaker, deceased.
H. R. 279. An act for the relief of Jessee Washington Jackson.
H. R. 461. An act for the relief of Robert Ramsey.
H. R. 622. An act for the relief of Elizabeth S. Cobbs.
H. R. 13. An act for the relief of Daniel Robinson.
H. R. 738. An act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels, and the regulation thereof.
H. H. 568. An act for the relief of Satterlee Clark.
H. R. 583. An act for the relief of Thomas H. Noble.
H. R. 609. An act for the relief of Eve Boggs.
H. R. 759. An act for the relief of Charles McLane, of Missouri.
H. R. 678. An act for the relief of Amelia Covillion, of Louisiana.
H. R. 548. An act for the relief of Mary Buck.
H. R. 510. An act for the relief of Lowrey Williams.
H. R. 481. An act for the relief of William P. Yonge.
H. R. 463. An act for the relief of Andrew Flanegan.
H. R. 451. An act for the relief of William H. Wilson.
H. R. 313. An act for the relief of John P. Young, a commander in the navy of the United States.
H. R. 285. An act for the relief of John Campbell.
H. R. 385. An act for the relief of John Savage.
H. R. 280. An act for the relief of James Fugate.
H. R. 447. An act for the relief of Polly Aldrich.
H. R. 215. An act for the relief of Peter Shaffer.
H. R 272. An act for the relief of H. Carrington, executor of Paulina Le Grand, deceased.
H. R. 53. An act for the relief of John W. Hockett.
H. R. 780. An act for the relief of Daniel Wilson.
H. R. 210. An act for the relief of Harvey Jones.
H. R. 214. An act for the relief of Noah Phelps.
H. R. 487. An act to settle the title to certain tracts of land in the State of Arkansas.
H. R. 779. An act for the relief of James Norris, and for other purposes.

H. R. 813. An act to make arrangement for taking the seventh census.

H. R. 52. An act for the relief of Charles Burns.

H. R. 686. An act making appropriations for certain fortifications of the United States for the year ending June 30, 1850.

H. R. 699. An act making appropriations for the naval service for the year ending the 30th June, 1850.

H. R. 681. An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1850.

H. R. 291. An act requiring all moneys receivable from customs, and from all other sources, to be placed immediately in the treasury without abatement or reduction, and for other purposes.

H. R. 764. An act to establish the Home Department, and to provide for the Treasury Department an assistant Secretary of the Treasury, and a Commissioner of Customs.

H. R. 695. An act making appropriations for the support of the army for the year ending the 30th June, 1850.

H. R. 692. An act making appropriations for the civil and diplomatic expenses of government for the year ending 30th June, 1850, and for other purposes.

H. R. 734. An act to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein.

H. R. 7. Resolution for the relief of George R. Smith.

H. R. 47. Resolution for the purchase of copies of the general navy regulations and laws.

H. R. 43. Resolution for the distribution of the official register, or blue book, among the several States.

H. R. 54. Resolution directing that the government of Russia be supplied with certain volumes of the narrative of the exploring expedition, in lieu of those lost at sea, and for other purposes.

H. R. 52. Resolution relative to evidence in applications for pensions by widows of deceased soldiers under the act of July 21, 1848.

H. R. 58. Resolution authorizing the secretary of the Senate and the clerk of the House of Representatives to subscribe for a thousand copies of a further publication of the debates and proceedings of Congress, and for other purposes.

H. R. 61. Resolution granting to the Secretary of the Treasury further time to make the reports concerning the sale and entry of certain lands in Cincinnati.

H. R. 51. Resolution for the relief of pursers in the navy as to expenditures made in pursuance of orders during the war with Mexico, and for other purposes.

On motion by Mr. Dodge, and by unanimous consent,

Resolved, That a committee be appointed, jointly with such committee as may be appointed on the part of the House of Representatives, to wait on the President of the United States and notify him

that, unless he may have other communications to make, the two Houses of Congress, having finished the business before them, are now ready to close the present session by an adjournment.

Ordered, That Mr. Dodge be the committee on the part of the Senate.

A message from the House of Representatives by Mr. Campbell, their Clerk:

Mr. President: The House of Representatives concur in the resolution passed by the Senate for the appointment of a joint committee to wait on the President of the United States, and notify him that unless he may have other communications to make the two Houses, having finished the business before them, are now ready to adjourn; and have appointed Mr. John A. Rockwell, Mr. Howell Cobb, and Mr. Lewis C. Levin a committee on their part.

Mr. Mangum submitted the following resolution; which was conidered by unanimous consent and agreed to:

Resolved unanimously, That the thanks of the Senate are due, and are hereby tendered to the Hon. Mr. Atchison, for the ability, dignity, and impartiality with which he has performed the duties of President of the Senate pro tempore.

Mr. Dodge, from the committee appointed on the part of the Senate jointly with the committee appointed on the part of the House of Representatives, to wait on the President of the United States and notify him that the two Houses, having finished the legislative business before them, are ready, if he has no further communication to make, to adjourn, reported that they had performed the duty assigned them, and that the President replied that he had no further communication to make.

On motion,

Ordered, That a message be sent to the House of Representatives to inform the House that the Senate, having finished the business before them, are about to adjourn.

Whereupon,

The Senate adjourned *sine die*.

APPENDIX.

LIST OF ACTS AND RESOLUTIONS

Passed during the second session of the thirtieth Congress.

PUBLIC ACTS.

An act for authenticating certain records.

An act concerning the pay department of the army.

An act for the better organization of the district court of the United States within the State of Louisiana.

An act to establish the collection district of Brazos de Santiago, in the State of Texas, and for other purposes.

An act to cause the northern boundary line of the State of Iowa to be run and marked.

An act to continue the office of Commissioner of Pensions.

An act to provide for an increase of the medical staff and for an additional number of chaplains of the army of the United States.

An act to define the period of disability imposed upon certain bidders for mail contracts.

An act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.

An act declaratory of the act for the admission of the State of Iowa into the Union.

An act to extend the provisions of an act approved the third of March, eighteen hundred and forty-seven, for carrying into effect the existing compacts with the States of Alabama and Mississippi with regard to the five per cent. fund and school reservations.

An act to continue the light at Sand's point, on Long Island.

An act to amend an act entitled "An act for authenticating certain records," approved February twenty-second, eighteen hundred and forty-nine.

An act making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes.

An act to establish the territorial government of Minesota.

An act to carry into effect certain stipulations of the treaty between the United States of America and the republic of Mexico of the second day of February, eighteen and hundred and forty-eight.

An act to transfer the towns of Vinal Haven, North Haven, and

Islesboro' from the collection district of Penobscot to that of Belfast, in the State of Maine.

An act to settle the title to certain tracts of land in the State of Arkansas.

An act to establish an additional land office in the State of Missouri.

An act granting a half section of land for the use of schools within fractional township nineteen, south of eighteen west, county of Lowndes, State of Mississippi.

An act to aid the State of Louisiana in draining the swamp lands therein.

An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States.

An act to supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth June, eighteen hundred and forty-nine.

An act to provide for carrying into execution in part the twelfth article of the treaty with Mexico, concluded at Guadalupe Hidalgo.

An act making appropriations for certain fortifications of the United States for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the support of the army for the year ending the thirtieth June, eighteen hundred and fifty.

An act making appropriations for the support of the military academy for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the payment of revolutionary and other pensions of the United States for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the payment of navy pensions for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending the thirtieth of June, eighteen hundred and fifty.

An act to amend the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union."

An act to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein.

An act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels, and the regulation thereof.

An act making appropriations for the civil and diplomatic expenses of government for the year ending the thirtieth June, eighteen hundred and fifty, and for other purposes.

An act to abolish imprisonment for debt in certain cases.

APPENDIX.

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An act to define the period of disability imposed upon certain dders for mail contracts.
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An act to continue the light at Sand's point, on Long Island.
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An act making appropriations for light-houses, light-boats, buoys, c., and providing for the erection and establishment of the same, id for other purposes.
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An act to carry into effect certain stipulations of the treaty be-een the United States of America and the republic of Mexico of e second day of February, eighteen and hundred and forty-eight.
An act to transfer the towns of Vinal Haven, North Haven, and

Islesboro' from the collection district of Penobscot to that of Belfast, in the State of Maine.

An act to settle the title to certain tracts of land in the State of Arkansas.

An act to establish an additional land office in the State of Missouri.

An act granting a half section of land for the use of schools within fractional township nineteen, south of eighteen west, county of Lowndes, State of Mississippi.

An act to aid the State of Louisiana in draining the swamp lands therein.

An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States.

An act to supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth June, eighteen hundred and forty-nine.

An act to provide for carrying into execution in part the twelfth article of the treaty with Mexico, concluded at Guadalupe Hidalgo.

An act making appropriations for certain fortifications of the United States for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the support of the army for the year ending the thirtieth June, eighteen hundred and fifty.

An act making appropriations for the support of the military academy for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the payment of revolutionary and other pensions of the United States for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the payment of navy pensions for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and fifty.

An act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending the thirtieth of June, eighteen hundred and fifty.

An act to amend the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union."

An act to extend the revenue laws of the United States over the territory and waters of Upper California, and to create a collection district therein.

An act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels, and the regulation thereof.

An act making appropriations for the civil and diplomatic expenses of government for the year ending the thirtieth June, eighteen hundred and fifty, and for other purposes.

An act to abolish imprisonment for debt in certain cases.

An act to reduce the minimum price of the mineral lands in the Lake Superior district, in Michigan, and in the Chippewa district in Wisconsin.

An act to authorize the coinage of twenty dollar and one dollar gold pieces at the mint of the United States and its branches.

An act to provide for the settlement of the accounts of public officers, and others who may have received moneys arising from military contributions, or otherwise, in Mexico.

An act making appropriations for the service of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and fifty.

An act to establish the Home Department, and to provide for the Treasury Department an assistant Secretary of the Treasury and a Commissioner of the Customs.

An act granting five years' half pay to certain widows and orphans of officers, non-commissioned officers, musicians, and privates, both regulars and volunteers.

An act declaring Fort Covington, in the State of New York, to be a port of delivery, and for other purposes.

An act in relation to the Fox and Wisconsin river reservation in the State of Wisconsin.

An act for the selection of jurors in certain courts of the United States.

An act to authorize the judge of the courts of the United States of the fifth circuit to hold the circuit court for the district of Kentucky.

An act to make arrangements for taking the seventh census.

An act to authorize the citizens of Ozark county, Missouri, to enter less than a quarter section of land for the seat of justice in said county.

An act to extend certain privileges to the town of Whitehall, in the State of New York.

An act requiring all moneys receivable from customs, and from all other sources, to be paid immediately into the treasury without abatement or deduction, and for other purposes.

An act supplemental to the act approved the sixth day of July, eighteen hundred and forty-two, entitled "An act confirming certain land claims in Louisiana."

Resolution for the appointment of regents in the Smithsonian Institution.

Resolution relating to the compensation of persons appointed to deliver the votes for President and Vice President of the United States to the President of the Senate.

Resolution authorizing the Secretary of War to furnish arms and ammunition to persons emigrating to the Territories of Oregon, California, and New Mexico.

Resolution to fix the meaning of the second section of an act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.

Resolution directing that the government of Russia be supplied

with certain volumes of the narrative of the exploring expedition, in lieu of those which were lost at sea.

Resolution authorizing the Secretary of the Senate and Clerk of the House of Representatives to subscribe for one thousand copies of a further publication of the debates and proceedings of Congress, and for other purposes.

Resolution for the distribution of the Official Register, or Blue Book, among the several States.

Resolution granting to the Secretary of the Treasury further time to make the report concerning the sale and entry of certain lands in Cincinnati.

Resolution relative to evidence in applications for pensions by widows of deceased soldiers, under the act of July twenty-one, eighteen hundred and forty-eight.

Resolution for the purchase of copies of the General Navy Register and Laws.

PRIVATE ACTS.

An act to compensate John M. Moore.

An act for the relief of Mary Mac Rea, widow of Lieutenant Colonel William Mac Rea, late of the United States army, deceased.

An act for the relief of Jeannette C. Huntington, widow and sole executrix of William D. Cheever, deceased.

An act for the relief of Thomas Talbot and others.

An act for the relief of Peter Capella, administrator of Andrew Capella, deceased, and for the relief of John Capo, and for the relief of Elijah Petty and Hannah Petty, his wife, heirs of John Beardon, deceased.

An act for the relief of Creed Taylor.

An act for the relief of the forward officers of the late exploring expedition.

An act for the relief of Joseph F. Caldwell.

An act for the relief of Thomas Douglass, late United States attorney for East Florida.

An act to provide for the settlement of the claim of Henry Washington, late a deputy surveyor of the public lands in Florida.

An act for the relief of George Center.

An act for the relief of James F. Sothoron.

An act for the relief of the heirs of Jean F. Perry, Josiah Bleakley, Nicholas Jarrot, and Robert Morrison.

An act granting a pension to Bethiah Healy, widow of George Healy, deceased.

An act to relinquish the reversionary interest of the United States in a certain Indian reservation in the State of Alabama.

An act for the relief of James G. Carson.

An act for the relief of Henry D. Garrison.

An act for the relief of the owners of the schooner Ticonic.

An act for the relief of Pierre Chouteau, junior, and company.

An act to provide for the final settlement of the accounts of

Thomas C. Sheldon, late receiver of public moneys at Kalamazoo, Michigan.

An act to provide for the final settlement of the accounts of Abraham Edwards, register of the land office at Kalamazoo, Michigan.

An act for the relief of Nehemiah Brush.

An act for the relief of William L. Wigent.

An act to allow subsistence to certain Arkansas and other volunteers who have been prisoners of war in Mexico.

An act for the relief of Thomas W. Chinn and others.

An act authorizing the payment of interest upon the advances made by the State of Alabama for the use of the United States government, in the suppression of the Creek Indian hostilities of 1836 and 1837, in Alabama.

An act for the relief of William Plummer, executor of Starkley Armistead, deceased.

An act to authorize the Secretary of War to make reparation for the killing of a Caddo boy by volunteer troops in Texas.

An act to authorize the issuing of a register or enrolment to the ship Annie Tift.

An act in addition to the act entitled "An act to incorporate the Washington, Alexandria, and Georgetown steam packet company."

An act for the relief of James M. Scantland.

An act continuing the pension granted to Patrick Walker.

An act for the relief of James Hotchkiss.

An act to grant the right of way to the Mobile and Ohio Railroad Company.

An act to grant to the Atlantic and Gulf Railroad Company the right of way through the public lands of the United States.

An act for the relief of Timothy Lavan.

An act for the relief of Alexander Montgomery, captain and assistant quartermaster of the army.

An act for the settlement of the claims of New Hampshire against the United States.

An act for the relief of John P. Skinner and the legal representatives of Isaac Green.

An act for the relief of Noah A. Phelps.

An act for the relief of William Fuller and Charles Savage.

An act for the relief of John Campbell.

An act for the relief of John Young, a commander in the navy of the United States.

An act for the relief of Captain Dan Drake Henrie.

An act for the relief of Polly Aldrich.

An act for the relief of William P. Yonge.

An act for the relief of E. B. Cogswell.

An act for the relief of Lowry Williams.

An act for the relief of James Y. Smith.

An act for the relief of James Morehead.

An act for the relief of Polly Dameron, widow of Charles Dameron, deceased.

An act for the relief of Mary G. Leverett.

An act for the relief of Mary Buck.
An act for the relief of John F. Ohl.
An act for the relief of Satterlee Clark.
An act for the relief of the president and directors of the Union Bank of Florida.
An act for the relief of Thomas H. Noble.
An act for the relief of Thomas T. Gammage.
An act for the relief of Eve Boggs.
An act for the relief of Elizabeth S. Cobbs.
An act for the relief of Captain Alexander McEwen.
An act for the relief of Sidney Flower, of Louisiana, and for other purposes.
An act for the relief of Amelia Couvillion, of Louisiana.
An act for the relief Salsy Darby, of Randolph county, and State of Georgia.
An act for the relief of Charles Wilson.
An act for the relief of B. O. Payne, of Albany, New York.
An act to incorporate the Oak Hill Cemetery, in the District of Columbia.
An act for the relief of Stoughton A. Fletcher.
An act for the relief of Charles McLane, of Missouri.
An act for the relief of Major Charles Larrabee.
An act for the relief of James Norris, and for other purposes.
An act for the relief of Daniel Wilson.
An act for the relief of Solomon Davis.
An act for the benefit of Peter M. Grant.
An act for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes.
An act for the relief of Catharine Clark.
An act for the relief of Levi H. Corson, and for other purposes.
An act for the relief of Philip J. Fontane.
An act for the relief of William Gott.
An act for the relief of Andrew Flanegan.
An act for the relief of Robert Ramsay.
An act for the relief of Maurice R. Simmons.
An act for the relief of William H. Wilson.
An act for the relief of Samuel A. Grier.
An act for the relief of Joshua Barney, United States agent.
An act for the relief of John Savage.
An act for the relief of Eliza A. Mellon.
An act for the relief of A. C. Bryan and others.
An act for the relief of Doctor Adolphus Wislizenus.
An act for the relief of Joel Thacker.
An act for the relief of John B. Smith and Simeon Darden.
An act for the relief of Sarah D. Caldwell, wife of James H. Brigham.
An act for the relief of William Harding.
An act for the relief of John Hibbert.
An act for the relief of Lizur B. Canfield.
An act for the relief of James Fugate.

An act for the relief of Jesse Washington Jackson.
An act granting a pension to John Morrison.
An act for the relief of H. Carrington, executor of Paulina Legrand, deceased.
An act for the relief of John Percival, captain in the navy of the United States.
An act for the relief of Peter Shaffer.
An act for the relief of Hervey Jones.
An act for the relief of the heirs of William Evans.
An act for the relief of Joseph Bryan.
An act for the relief of Marcus Fulton Johnson.
An act for the relief of Simon Rodrigues.
An act to confirm Elizabeth Burriss, her heirs or assigns, in their title to a tract of land.
An act for the relief of James P. Sexton and Joshua Holden.
An act for the relief of Elisha Thomason.
An act for the relief of James B. Davenport.
An act amendatory of an act entitled "An act amendatory of the act entitled 'An act to incorporate the Provident Association of Clerks in the civil departments of the government of the United States in the District of Columbia,' approved the third March, eighteen hundred and twenty-five."
An act for the relief of Colonel Robert Wallace, aid-de-camp to General William Hull.
An act for the relief of Charles Waldron.
An act for the relief of the legal representatives of Captain George R. Shoemaker.
An act for the relief of Archibald Bull and Lemuel S. Finch.
An act for the relief of Thomas Badger.
An act for the relief of Hugh Riddle.
An act for the relief of Zilpha White.
An act for the relief of G. F. De la Roche and W. P. Sanger.
An act for the relief of Anthony Bessee.
An act for the relief of the owners of the Spanish brig Restaurador.
An act for the relief of Reuben Perry and Thomas P. Ligon.
An act for the relief of Esther Russell.
An act for the relief of William Fuller and Orlando Saltmarsh.
An act for the relief of Stephen Champlin.
An act for the relief of David Thomas, of Philadelphia.
An act for the relief of Jesse Young.
An act for the relief of James H. Conley.
An act for the relief of James Glynn and others.
An act for the relief of Nancy Tompkins.
An act for the relief of Elizabeth Mays.
An act for the relief of Mrs. Anne W. Angus.
An act for the relief of John W. Hockett.
An act for the relief of Charles Benns.
An act for the relief of George Newton.
An act for the relief of Edward Quinn.

An act for the relief of Daniel Robinson.

Resolution to authorize the Secretary of the Treasury to make an equitable settlement with the sureties of Robert F. Lytle, late surveyor general of the district of Ohio.

Resolution to defray the expenses of certain Chippewa Indians and their interpreter.

Resolution respecting the claims of A. S. and A. W. Benson.

Resolution for the relief of George R. Smith.

Resolution concerning the settlement of the accounts of William Speiden, purser in the navy of the United States.

Resolution for the relief of J. Melville Gilliss and others.

Resolution authorizing a settlement of the accounts of Thomas M. Howe, late pension agent at Pittsburg, upon equitable principles.

Resolution for the relief of John B. Nevitt, of Adams county, Mississippi.

Resolution for the relief of H. M. Barney.

Resolution for the relief of the pursers in the navy as to expenditures made in pursuance of orders during the war with Mexico.

Senators whose seats will be vacant in—

1851.	1853.	1855.
Mr. Baldwin, of Connecticut.	Mr. Bell, of Tennessee.	Mr. Atchison, of Missouri.
Benton, of Missouri.	Berrien, of Georgia.	Badger, of N. Carolina.
Bright, of Indiana.	Bradbury, of Maine.	Borland, of Arkansas.
Cass, of Michigan.	Calhoun, of S. Carolina.	Butler, of South Carolina
Corwin, of Ohio.	Clarke, of Rhode Island.	Chase, of Ohio.
Davis, of Mississppi.	Davis, of Massachusetts.	Clay, of Kentucky.
Dayton, of New Jersey.	Douglas, of Illinois.	Cooper, of Pennsylvania
Dickinson, of New York.	Downs, of Louisiana.	Dawson, of Georgia.
Dodge, of Wisconsin.	Felch, of Michigan.	Dodge, of Iowa.
Greene, of Rhode Island.	Fitzpatrick, of Alabama.	Morton, of Florida.
Hamlin, of Maine.	Foote, of Mississippi.	Norris, of N. Hampshire
Mason, of Virginia.	Hale, of N. Hampshire.	Pearce, of Maryland.
Phelps, of Vermont.	Houston, of Texas.	Seward, of New York.
Rusk, of Texas.	Hunter, of Virginia.	Smith, of Connecticut.
Sturgeon, of Pennsylvania.	Jones, of Iowa.	Soulé, of Louisiana
Turney, of Tennessee.	Mangum, of N. Carolina.	Upham, of Vermont.
Wales, of Delaware.	Miller, of New Jersey.	Walker, of Wisconsin.
Webster, of Massachusetts.	Sebastian, of Arkansas.	Whitcomb, of Indiana.
Yulee, of Florida.	Spruance, of Delaware.	Alabama, one vacancy.
Maryland, one vacancy.	Underwood, of Kentucky.	Illinois, one vacancy.

PROCEEDINGS

OF

A SESSION SPECIALLY CALLED.

MONDAY, MARCH 5, 1849.

To the Senators of the United States, respectively.

WASHINGTON, *January* 2, 1849.

SIR: Objects interesting to the United States requiring that the Senate should be in session on Monday, the fifth of March next, to receive and act upon such communications as may be made to it on the part of the Executive, your attention in the Senate chamber, in this city on that day at ten o'clock in the forenoon, is accordingly requested.

JAMES K. POLK.

In conformity with the above recited summons from the President of the United States, the Senate assembled in their chamber in the city of Washington:

PRESENT:

From the State of New Hampshire.

The honorable { John P. Hale, Moses Norris.

From the State of Massachusetts.

The honorable { John Davis, Daniel Webster.

From the State of Rhode Island and Providence Plantations.

The honorable { John H. Clarke, Albert C. Greene.

From the State of Connecticut.

The honorable { Roger S. Baldwin, Truman Smith.

From the State of Vermont.

The honorable { Samuel S. Phelps,
William Upham.

From the State of New York.

The honorable { Daniel S. Dickinson,
William H. Seward.

From the State of New Jersey.

The honorable { William L. Dayton,
Jacob W. Miller.

From the State of Pennsylvania.

The honorable { James Cooper,
Daniel Sturgeon.

From the State of Delaware.

The honorable { Presley Spruance,
John Wales.

From the State of Maryland.

The honorable { Reverdy Johnson,
James A Pearce.

From the State of Virginia.

The honorable { Robert M. T. Hunter,
James M. Mason.

From the State of North Carolina.

The honorable { George E. Badger,
Willie P. Mangum.

From the State of South Carolina.

The honorable { Andrew P. Butler,
John C. Calhoun.

From the State of Georgia.

The honorable { John MacPherson Berrien,
William C. Dawson.

From the State of Kentucky.

The honorable { Joseph R. Underwood.

From the State of Tennessee.

The honorable { John Bell,
Hopkins L. Turney.

From the State of Ohio.

The honorable { Thomas Corwin.

From the State of Louisiana.

The honorable { Solomon W. Downs,
Pierre Soulé.

From the State of Indiana.

The honorable { Jesse D. Bright,
James Whitcomb.

From the State of Mississippi.

The honorable { Jefferson Davis,
Henry S. Foote.

From the State of Illinois.

The honorable { Stephen A. Douglas,
James Shields.

From the State of Alabama.

The honorable { Benjamin Fitzpatrick.

From the State of Maine.

The honorable { James W. Bradbury,
Hannibal Hamlin.

From the State of Missouri.

The honorable { David R. Atchison,
Thomas H. Benton.

From the State of Arkansas.

The honorable { Solon Borland, / William K. Sebastian.

From the State of Michigan.

The honorable { Lewis Cass, / Alpheus Felch.

From the State of Florida.

The honorable { Jackson Morton, / David Levy Yulee.

From the State of Texas.

The honorable { Sam Houston, / Thomas J. Rusk.

From the State of Iowa.

The honorable { Augustus C. Dodge, / George W. Jones.

From the State of Wisconsin.

The honorable { Henry Dodge, / Isaac P. Walker.

The Senate being called to order by the Secretary,

On motion by Mr. Davis, of Massachusetts, and by unanimous consent,

Resolved, That the oath of office be administered by the honorable Thomas H. Benton to the honorable David R. Atchison, Senator elect from the State of Missouri; and that he be, and hereby is, chosen President of the Senate pro tempore.

The oath prescribed by law was accordingly administered to the honorable David R. Atchison, and he resumed the chair.

The credentials of the following Senators having been heretofore read, the oath prescribed by law was administered to them, and they took their seats in the Senate, viz:

The honorable James A. Pearce, from Maryland.
The honorable William Upham, from Vermont.
The honorable James Cooper, from Pennsylvania.
The honorable Andrew P. Butler, from South Carolina.
The honorable Solon Borland, from Arkansas.
The honorable Isaac P. Walker, from Wisconsin.
The honorable Augustus C. Dodge, from Iowa.
The honorable William H. Seward, from New York.

The honorable Jackson Morton, from Florida.
The honorable William C. Dawson, from Georgia.
The honorable Moses Norris, from New Hampshire.
The honorable James Whitcomb, from Indiana.
The honorable Pierre Soulé, from Louisiana.

The honorable James Shields, whose credentials were read the second of March, appearing for the purpose of being qualified,

Mr. Walker submitted the following resolution; which was read:

Resolved, That the certificate of election of the honorable James Shields to a seat in this body be referred to the Committee on the Judiciary, with instructions to inquire into the eligibility of the said James Shields to a seat in the Senate of the United States as a member thereof.

The Senate proceeded to consider the resolution by unanimous consent; and,

Ordered, That the further consideration thereof be postponed until to-morrow.

Mr. Baldwin presented the credentials of the honorable Truman Smith, chosen a Senator by the General Assembly of the State of Connecticut for the term of six years, commencing the 4th day of March, 1849, which were read; and the oath prescribed by law administered to Mr. Smith, and he took his seat in the Senate.

The honorable Millard Fillmore, Vice President of the United States and President of the Senate, having entered the Senate chamber, the oath prescribed by law was administered to him by the President pro tempore; and he thereupon took the chair, and addressed the Senate as follows:

SENATORS: Never having been honored with a seat on this floor, and never having acted as the presiding officer of any legislative body, you will not doubt my sincerity when I assure you that I assume the responsible duties of this chair with a conscious want of experience, and a just apprehension that I shall often need your friendly suggestions, and more often your indulgent forbearance.

I should indeed feel depressed and disheartened, did I not recollect that the Senate is composed of eminent statesmen, equally distinguished for their high intellectual endowments and their amenity of manners—whose persuasive eloquence is so happily tempered with habitual courtesy as to relieve your presiding officer from all that would be painful in the discharge of his duty, and render his position as agreeable as it must be instructive.

Thus encouraged and sustained, I enter upon the duties assigned me, firmly resolved to discharge them with impartiality, and to the best of my ability. But I should do injustice to the grateful emotions of my own heart, if I did not, on this occasion, express my warmest thanks for the distinguished honor that has been conferred upon me, in being called by the voice of the nation to preside over your deliberations.

It will not, I trust, be deemed inappropriate to congratulate you upon the scene now passing before us. I allude to it in no par-

tisan aspect, but as an ever recurring event contemplated by the constitution. Compare the peaceful changes of chief magistrates of this republic with the recent sanguinary revolutions in Europe. There, the voice of the people has only been heard amid the din of arms and the horrors of domestic conflict; but here, in our own favored land, under the guidance of our constitution, the resistless will of the nation has, from time to time, been peacefully expressed by the free suffrages of the people, and all have bowed in obedient submission to their decree. The administration which but yesterday wielded the destinies of this great nation, to-day quietly yields up its power, and, without a murmur, retires from the capitol.

I congratulate you, Senators—and I congratulate my country, upon these oft-recurring and cheering evidences of our capacity for self-government.

Let us hope that the sublime spectacle which we now witness may be repeated as often as the people shall desire a change of rulers, and that this venerated constitution and this glorious Union may endure forever.

The President of the United States, the ex-President, the ex-Vice Presidents Richard M. Johnson and George M. Dallas, the Chief Justice and associate justices of the Supreme Court, and foreign ministers, having entered the Senate chamber, the Senate proceeded, accompanied by them, to the eastern portico, where the President of the United States delivered the following address:

Elected by the American people to the highest office known to our laws, I appear here to take the oath prescribed by the constitution; and, in compliance with a time-honored custom, to address those who are now assembled.

The confidence and respect shown by my countrymen in calling me to be the chief magistrate of a republic holding a high rank among the nations of the earth, have inspired me with feelings of the most profound gratitude; but, when I reflect that the acceptance of the office which their partiality has bestowed, imposes the discharge of the most arduous duties, and involves the weightiest obligations, I am conscious that the position which I have been called to fill, though sufficient to satisfy the loftiest ambition, is surrounded by fearful responsibilities. Happily, however, in the performance of my new duties, I shall not be without able cooperation. The legislative and judicial branches of the government present prominent examples of distinguished civil attainments and matured experience; and it shall be my endeavor to call to my assistance in the executive departments individuals whose talents, integrity, and purity of character will furnish ample guarantees for the faithful and honorable performance of the trusts to be committed to their charge. With such aids, and an honest purpose to do whatever is right, I hope to execute diligently, impartially, and for the best interests of the country, the manifold duties devolved upon me.

In the discharge of these duties, my guide will be the constitu-

tion, which I this day swear to "preserve, protect, and defend." For the interpretation of that instrument, I shall look to the decisions of the judicial tribunals established by its authority, and to the practice of the government under the earlier Presidents, who had so large a share in its formation. To the example of those illustrious patriots I shall always defer with reverence, and especially to his example who was, by so many titles, "the father of his country."

To command the army and navy of the United States—with the advice and consent of the Senate, to make treaties, and to appoint ambassadors and other officers—to give to Congress information of the state of the Union, and recommend such measures as he shall judge to be necessary—and to take care that the laws shall be faithfully executed—these are the most important functions entrusted to the President by the constitution; and it may be expected that I shall, briefly, indicate the principles which will control me in their execution.

Chosen by the body of the people under the assurance that my administration would be devoted to the welfare of the whole country, and not to the support of any particular section or merely local interest, I this day renew the declarations I have heretofore made, and proclaim my fixed determination to maintain, to the extent of my ability, the government in its original purity, and to adopt, as the basis of my public policy, those great republican doctrines which constitute the strength of our national existence.

In reference to the army and navy, lately employed with so much distinction on active service, care shall be taken to insure the highest condition of efficiency; and, in furtherance of that object, the military and naval schools, sustained by the liberality of Congress, shall receive the special attention of the Executive.

As American freemen, we cannot but sympathize in all efforts to extend the blessings of civil and political liberty; but, at the same time, we are warned by the admonitions of history, and the voice of our own beloved Washington, to abstain from entangling alliances with foreign nations. In all disputes between conflicting governments, it is our interest not less than our duty to remain strictly neutral; while our geographical position, the genius of our institutions and our people, the advancing spirit of civilization, and, above all, the dictates of religion, direct us to the cultivation of peaceful and friendly relations with all other powers. It is to be hoped that no international question can now arise which a government, confident in its own strength, and resolved to protect its own just rights, may not settle by wise negotiation; and it eminently becomes a government like our own, founded on the morality and intelligence of its citizens, and upheld by their affections, to exhaust every resort of honorable diplomacy before appealing to arms. In the conduct of our foreign relations I shall conform to these views, as I believe them essential to the best interests and the true honor of the country.

The appointing power vested in the President imposes delicate and onerous duties. So far as it is possible to be informed, I shall

make honesty, capacity, and fidelity indispensable pre-requisites to the bestowal of office, and the absence of either of these qualities shall be deemed sufficient cause for removal.

It shall be my study to recommend such constitutional measures to Congress as may be necessary and proper to secure encouragement and protection to the great interests of agriculture, commerce, and manufactures; to improve our rivers and harbors; to provide for the speedy extinguishment of the public debt; to enforce a strict accountability on the part of all officers of the government, and the utmost economy in all public expenditures. But it is for the wisdom of Congress itself, in which all legislative powers are vested by the constitution, to regulate these and other matters of domestic policy. I shall look with confidence to the enlightened patriotism of that body to adopt such measures of conciliation as may harmonize conflicting interests, and tend to perpetuate that Union which should be the paramount object of our hopes and affections. In any action calculated to promote an object so near the heart of every one who truly loves his country, I will zealously unite with the co-ordinate branches of the government.

In conclusion, I congratulate you, my fellow-citizens, upon the high state of prosperity to which the goodness of Divine Providence has conducted our common country. Let us invoke a continuance of the same protecting care which has led us from small beginnings to the eminence we this day occupy; and let us seek to deserve that continuance by prudence and moderation in our councils; by well-directed attempts to assuage the bitterness which too often marks unavoidable differences of opinion; by the promulgation and practice of just and liberal principles, and by an enlarged patriotism, which shall acknowledge no limits but those of our own wide-spread republic.

The oath of office was then administered to the President of the United States by the Chief Justice of the Supreme Court, and the Senate returned to their chamber.

On motion by Mr. Bright,

Ordered, That the daily hour of the meeting of the Senate be twelve o'clock, meridian.

On motion by Mr. Dayton,

The Senate adjourned.

TUESDAY, March 6, 1849.

The oath prescribed by law was administered to the honorable George E. Badger, whose credentials were read and filed the 2d January.

Mr. Corwin presented the credentials of the honorable Salmon P. Chase, elected a Senator by the General Assembly of the State of Ohio for six years from and after the fourth day of March, 1849, which were read; and the oath prescribed by law was administered to Mr. Chase, and he took his seat in the Senate.

Mr. Miller submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee, consisting of two members, be appointed to wait on the President of the United States and inform him that the Senate is assembled, and ready to receive any communications he may be pleased to make.

On motion,

Ordered, That the committee be appointed by the Vice President; and

Mr. Miller and Mr. Atchison were appointed.

On motion by Mr. Douglas,

The oath prescribed by law was administered to Mr. Shields, whose credentials were read and filed the 2d instant; and he took his seat in the Senate.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Walker, in relation to the credentials of the honorable James Shields; and, having been amended, it was agreed to, as follows:

Resolved, That the certificate of the election of the honorable James Shields to a seat in this body be referred to a select committee, consisting of five members, with instructions to inquire into the eligibility of the said James Shields to a seat in the Senate of the United States, as a member thereof.

On motion by Mr. Turney,

Ordered, That the Senate will, to-morrow, at 12 o'clock, proceed to the appointment of the standing committees.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, March 7, 1849.

The Vice President laid before the Senate a letter from the secretary of the Smithsonian Institution, communicating a resolution of the Board of Regents, stating that a vacancy exists in that board by the expiration of the term of the honorable James Alfred Pearce as a Senator.

The letter was read.

Mr. Davis, of Mississippi, submitted the following resolution for consideration:

Resolved, That, in the opinion of the Senate, when vacancies occur in the Board of Regents of the Smithsonian Institution by the expiration of the term of any Senator, the power to fill such vacancy is, by law, vested in the President of the Senate.

On motion by Mr. Turney,

Ordered, That John W. Custer have leave to withdraw his petition and papers.

On motion by Mr. Yulee,

Ordered, That Joseph K. Boyd have leave to withdraw the original letters on file with his petition and papers.

On motion by Mr. Dickinson,

Ordered, That John Ericsson have leave to withdraw his petition and papers.

Mr. Mangum submitted the following resolution; which was considered by unanimous consent, and agreed to.

Resolved, That the standing and select committees for the present special session of the Senate, be constituted and appointed as follows, viz:

On Foreign Relations.—Mr. Benton, Mr. Cass, Mr. Webster, Mr. Foote, Mr. Mangum.

On Finance.—Mr. Dickinson, Mr. Hunter, Mr. Phelps, Mr. Douglas, Mr. Webster.

On Commerce.—Mr. Hamlin, Mr. Soulé, Mr. Davis, of Massachusetts, Mr. Fizpatrick, Mr. Smith.

On Manufactures—Mr. Sebastian, Mr. Butler, Mr. Jones.

On Public Lands.—Mr. Felch, Mr. Borland, Mr. Shields.

On Agriculture.—Mr. Sturgeon, Mr. Turney, Mr. Walker.

On Military Affairs.—Mr. Davis, of Mississippi, Mr. Benton, Mr. Bell, Mr. Borland, Mr. Dawson.

On the Militia.—Mr. Houston, Mr. Fitzpatrick, Mr. Dodge, of Wisconsin.

On Naval Affairs.—Mr. Yulee, Mr. Mason, Mr. Badger, Mr. Bright, Mr. Miller.

On Private Land Claims.—Mr. Downs, Mr. Whitcomb, Mr. Dickinson.

On Indian Affairs.—Mr. Atchison, Mr. Sebastian, Mr. Phelps, Mr. Rusk, Mr. Bell.

Of Claims.—Mr. Whitcomb, Mr. Norris, Mr. Jones.

On Revolutionary Claims.—Mr. Walker, Mr. Norris, Mr. Dodge, of Iowa.

On the Judiciary.—Mr. Butler, Mr. Downs, Mr. Berrien, Mr. Bradbury, Mr. Dayton.

On the Post Office and Post Roads.—Mr. Rusk, Mr. Sturgeon, Mr. Pearce, Mr. Soulé, Mr. Corwin.

On Roads and Canals.—Mr. Bright, Mr. Atchison, Mr. Foote.

On Pensions.—Mr. Dodge, of Wisconsin, Mr. Fitzpatrick, Mr. Hunter.

On the District of Columbia.—Mr. Mason, Mr. Yulee, Mr. Shields.

On Patents.—Mr. Turney, Mr. Norris, Mr. Whitcomb.

On Retrenchment.—Mr. Bradbury, Mr. Houston, Mr. Felch.

On Territories.—Mr. Douglas, Mr. Butler, Mr. Houston.

On Public Buildings.—Mr. Hunter, Mr. Yulee.

To Audit and Control the Contingent Expenses of the Senate.—Mr. Dodge, of Iowa, Mr. Walker, Mr. Pearce.

On Printing.—Mr. Borland, Mr. Hamlin.

On Engrossed Bills.—Mr. Jones, Mr. Sebastian.

On the Library.—Mr. Pearce, Mr. Mason, Mr. Davis, of Mississippi.

On Enrolled Bills.—Mr. Rusk.

Select Committee on the eligibility of the honorable James Shields as a Senator.—Mr. Benton, Mr. Felch, Mr. Webster, Mr. Mason, Mr. Pearce.

Mr. Pearce, being on his motion, excused from serving on the Committee to Audit and Control the Contingent Expenses of the Senate,

Ordered, That Mr. Smith be appointed in his stead.

Mr. Smith, being on his motion, excused from serving on the Committee to Audit and Control the Contingent Expenses of the Senate,

Ordered, That a member be appointed by the Vice President to fill the vacancy; and

Mr. Pearce was appointed.

On motion by Mr. Underwood,

Ordered, That Williams & Griffith have leave to withdraw their petition and papers.

On motion,

The Senate adjourned.

THURSDAY, March 8, 1849.

The Senate proceeded to consider the resolution, submitted by Mr. Davis, of Mississippi, the 7th instant, in relation to the appointment of a regent of the Smithsonian Institution; and

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 32 / Nays..... 7

On motion by Mr. Benton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Baldwin, Berrien, Chase, Clarke, Cooper, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dawson, Dayton, Downs, Fitzpatrick, Greene, Hale, Houston, Jones, Mangum, Mason, Miller, Morton, Pearce, Phelps, Seward, Shields, Smith, Spruance, Sturgeon, Underwood, Upham, Wales.

Those who voted in the negative are,

Messrs. Benton, Dickinson, Hamlin, Hunter, Norris, Rusk, Turney.

So the resolution was agreed to.

Whereupon,

The Vice President appointed the honorable James Alfred Pearce to be a regent of the Smithsonian Institution, to fill the vacancy occasioned by the expiration of his term as a Senator the third instant.

Mr. Walker submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the select committee to inquire into the eligibility of the honorable James Shields to a seat in the Senate of the United States as a member thereof, be authorized to send for persons and papers, and to call to their aid a person authorized to administer oaths, and to take the testimony of such persons as the committee may deem proper, and to procure the proper authentication of any papers or records which the committee may at any

time have before it relating to the subject-matter under its consideration.

Mr. Walker presented a copy of the record of naturalization in the case of the honorable James Shields; which was referred to the said select committee.

Mr. Walker submitted the following resolution for consideration:

Resolved, That until otherwise ordered, the Secretary of the Senate pay to John Skirving, for his services in ventilating the Senate chamber during the sessions, an allowance not exceeding the pay of a messenger, together with one dollar a day for an assistant.

The Senate, by unanimous consent, proceeded to consider the said resolution, and disagreed thereto.

On motion by Mr. Felch,

Ordered, That the American Board of Commissioners for Foreign Missions have leave to withdraw their memorial for compensation for property relinquished by their missionaries and teachers on the removal of the Cherokee Indians from the State of Georgia under the treaty of 1835.

On motion by Mr. Corwin,

Ordered, That James D. Cobb have leave to withdraw his petition and papers.

On motion by Mr. Badger,

The Senate adjourned.

FRIDAY, March 9, 1849.

The Vice President laid before the Senate a letter from the honorable Reverdy Johnson, resigning his seat in the Senate of the United States as one of the Senators from the State of Maryland; which was read.

On motion by Mr. Pearce, and by unanimous consent,

Resolved, That the Vice President be requested to inform the Executive of the State of Maryland that the honorable Reverdy Johnson has this day resigned his seat in the Senate of the United States.

On motion by Mr. Borland,

Ordered, That a member be added to the Committee on Printing, and that the appointment be made by the Vice President; and

Mr. Smith was appointed.

On motion by Mr. Webster,

Ordered, That when the Senate adjourn it be to Monday next; and,

On motion,

The Senate adjourned.

MONDAY, March 12, 1849.

Mr. Webster submitted the following resolution:

Resolved, That the President of the United States be requested, *if not in his judgment* incompatible with the public interest, to

transmit to the Senate any instructions which may have been given to the minister of the United States in London, offering a farther extension of reciprocity and equality, in the laws of navigation; and especially such instructions, if any, as contemplate the opening of the coasting trade of the United States to the ships and vessels of other nations.

The Senate proceeded, by unanimous consent, to consider the resolution; and the resolution was agreed to.

On motion by Mr. Mason,

Ordered, That Ann Chase have leave to withdraw her petition and papers.

Mr. Jones, being on his motion, excused from serving on the Committee of Claims;

On motion by Mr. Bright,

Ordered, That a member be appointed by the Vice President to fill the vacancy; and

Mr. Turney was appointed.

On motion by Mr. Underwood,

Ordered, That Samuel Walker and Francis G. Beatty have leave to withdraw their petitions and papers.

After the consideration of executive business,

On motion by Mr. Webster,

The Senate adjourned.

TUESDAY, March 13, 1849.

Mr. Mason submitted the following report:

The select committee to whom was referred the certificate of election of the honorable James Shields to a seat in this body, with instructions to inquire into the eligibility of the said James Shields to such seat, report—

That having given due notice to the said James Shields, he appeared before them, and they took the subject into consideration.

They further report, that the said certificate of election declares that the said James Shields was chosen a Senator of the United States by the Legislature of the State of Illinois on the thirteenth day of January last; that it further appears, and is admitted by the said James Shields, that he is an alien by birth, and the only proof before the committee of the naturalization of the said James Shields in the United States is contained in the copy of a certificate of naturalization in the circuit court of Effingham county, in the said State of Illinois, which is annexed to and made part of this report; by which certificate it appears that the said James Shields was admitted by said court a citizen of the United States on the 21st day of October, 1840.

The committee therefore report the following resolution:

Resolved, That the election of James Shields to be a Senator of the United States was void, he not having been a citizen of the United States the term of years required as a qualification to be a Senator of the United States.

Exparte, James Shields.

This day personally appeared in open court James Shields, and made and filed the following declaration:

James Shields being duly sworn in open court, declares on oath that he was born in the county of Tyrone, in the kingdom of Ireland, on the seventeenth day of May, about the year eighteen hundred and ten; that he emigrated to the United States of America while a minor, and continued to reside within the United States three years next preceding his arriving at the age of twenty one years, and has continued to reside therein since to the present time; he is now upwards of twenty-one years of age, and has resided upwards of five years within the State of Illinois aforesaid, one of the United States; that it is his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and particularly to the Sovereign of Great Britain and Ireland; and he further declares that for three years next preceding the present application, it has been his *bona fide* intention to become a citizen of the United States.

JAMES SHIELDS.

Subscribed and sworn to in open court this twenty-first day of October, eighteen hundred and forty.

WILLIAM H. BLAKELY,
Clerk of said court.

This day personally appeared in open court James Shields, a free white person, upwards of twenty-one years of age, and applied to be admitted to become a citizen of the United States, and who, being duly sworn, declares on oath, in open court, that he will support the constitution of the United States, and doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatsoever, and particularly of the Sovereign of Great Britain and Ireland, whereof he was born a subject; and the court being satisfied that he has fully complied with the requirements of the laws of the United States on the subject of naturalization, and that he has resided within the United States upwards of five years and within the State of Illinois upwards of one year next preceding this application, and that during the whole of the time of his residence in the United States he has behaved as a man of good moral character, attached to the principles of the constitution of the United States, and well disposed to the good order and happiness of the same; it is therefore ordered and adjudged that the said James Shields be admitted a citizen of the United States, and that he is hereby admitted as such.

STATE OF ILLINOIS, } *ss.*
Effingham county. }

I, John S. Kelly, clerk of the circuit court in and for said county, *certify* that the foregoing is a true copy of the record of naturali-

zation in the case of James Shields, entered, as appears upon the record, on the twenty-first day of October, A. D. eighteen hundred and forty.

Given under my hand and private seal (there being no official seal yet provided for said court at Effington) this thirty-first day of January, A. D. eighteen hundred and forty-one.

[SEAL.]

JOHN S. KELLY, *Clerk.*

The Senate, by unanimous consent, proceeded to consider the resolution reported by the committee;

And, after debate,

Ordered, That the further consideration thereof be postponed until to-morrow.

After the consideration of executive business,

The Senate adjourned.

WEDNESDAY, MARCH 14, 1849.

The Senate resumed the consideration of the resolution reported by the select committee in relation to the election of James Shields;

And after debate,

On motion by Mr. Cass that the resolution lie on the table,

It was determined in the negative, { Yeas..... 15 / Nays..... 34

On motion by Mr. Cass,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bradbury, Cass, Dickinson, Douglas, Downs, Fitzpatrick, Foote, Hale, Hamlin, Jones, Rusk, Soulé, Sturgeon, Turney, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Borland, Bright, Butler, Calhoun, Chase, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dawson, Felch, Greene, Hunter, Mangum, Mason, Miller, Morton, Norris, Pearce, Phelps, Seward, Smith, Spruance, Underwood, Upham, Wales, Walker, Webster, Whitcomb.

On motion by Mr. Calhoun to amend the resolution, by adding thereto *"at the commencement of the term for which he was elected."*

After debate,

On motion by Mr. Hale that the further consideration of the resolution be postponed until to-morrow,

It was decided in the affirmative, { Yeas..... 24 / Nays..... 23

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bell, Borland, Bradbury, Butler, Cass, Chase, Douglas, Downs, Felch, Fitzpatrick, Foote, Hale, Hunter, Jones,

Mason, Norris, Rusk, Seward, Soulé, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Badger, Berrien, Bright, Calhoun, Clarke, Cooper, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dawson, Dickinson, Greene, Mangum, Miller, Morton, Pearce, Smith, Spruance, Upham, Wales, Walker, Webster, Whitcomb.

The honorable James Shields having handed to the Vice President a letter tendering his resignation,

Mr. Hale called for the reading of the letter, and no objection being made, the letter was read.

Mr. Hale submitted the following resolution for consideration:

Resolved, That the Vice President be requested to inform the executive of the State of Illinois that the honorable James Shields has this day resigned his seat in the Senate of the United States.

On motion by Mr. Berrien,

Ordered, That the consideration of the resolution be postponed until to-morrow.

The Senate adjourned.

THURSDAY, March 15, 1849.

Mr. Atchison presented a memorial of William P. Ross, W. S. Coodey, and John Drew, in behalf of the old settlers, or western Cherokees, complaining that they have been deprived of the rights that accrued to them under certain treaty stipulations between the United States and the Cherokee Indians, by the delay which has taken place in the execution of the same, and praying that a special tribunal be constituted for the settlement of conflicting views and interests of the several parties of the Cherokee Indians, and that the said stipulations be carried into effect; which was referred to the Committee on Indian Affairs.

On motion by Mr. Davis, of Massachusetts,

Ordered, That sundry documents submitted by him in relation to the means necessary for the prevention of the explosion of steam boilers, and accidents on steamboats, be printed for the use of the Senate.

On motion by Mr. Davis, of Massachusetts,

Ordered, That a communication from the Fifth Auditor of the Treasury to the chairman of the Committee on Commerce in relation to the construction of light-houses for the protection of commerce, be printed for the use of the Senate.

On motion by Mr. Mason,

Ordered, That the report from the Secretary of War, with a copy of the official journal of the march of Lieutenant Colonel Philip St. George Cooke from Santa Fé, in New Mexico, to San Diego, in Upper California, which was communicated to that department by Brigadier General Stephen W. Kearny, deceased, as directed to be furnished by the resolution of the Senate of the 21st of February last, be received by the Secretary of the Senate during the recess,

and that the same be printed, together with two thousand additional copies for the use of the Senate.

On motion by Mr. Butler,

Ordered, That Peter Brown have leave to withdraw his petition and papers.

On motion by Mr. Turney that the Senate proceed to the consideration of the resolution submitted by Mr. Hale, the 14th instant, requesting the Vice President to inform the executive of the State of Illinois that James Shields has this day resigned his seat in the Senate of the United States.

After debate,

On motion by Mr. Davis, of Mississippi, that the motion lie on the table,

It was determined in the affirmative, { Yeas ..... 33 / Nays 14

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Borland, Bright, Butler, Calhoun, Clarke, Cooper, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dawson, Dickinson, Greene, Hamlin, Hunter, Mangum, Mason, Miller, Phelps, Seward, Smith, Spruance, Sturgeon, Upham, Wales, Walker, Webster, Whitcomb, Yulee.

Those who voted in the negative are,

Messrs. Cass, Chase, Douglas, Downs, Felch, Fitzpatrick, Foote, Hale, Jones, Norris, Rusk, Soulé, Turney, Underwood.

So the motion was ordered to lie on the table.

On motion by Mr. Mason, the Senate resumed the consideration of the resolution reported by the select committee, in relation to the election of James Shields,

And, after debate,

On motion of Mr. Davis, of Mississippi, that it lie on the table,

It was determined in the negative, { Yeas ..... 16 / Nays 32

On motion by Mr. Turney,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cass, Chase, Davis, of Mississippi, Douglas, Downs, Fitzpatrick, Foote, Hale, Jones, Norris, Rusk, Soulé, Sturgeon, Turney, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Borland, Bradbury, Bright, Butler, Calhoun, Clarke, Cooper, Corwin, Davis, of Massachusetts, Dawson, Dickinson, Felch, Greene, Hamlin, Hunter, Mangum, Mason, Miller, Morton, Phelps, Seward, Smith, Spruance, Upham, Wales, Walker, Webster, Whitcomb.

On the question to agree to the amendment proposed by Mr. Calhoun the 14th instant,

It was determined in the affirmative.

On motion by Mr. Underwood further to amend the resolution,

by striking out the words "was void," and inserting in lieu thereof the following: "*does not entitle him to a seat as such in this body;*"

It was determined in the negative, { Yeas ..... 16 / Nays 28

On motion by Mr. Underwood,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bradbury, Chase, Davis, of Mississippi, Douglas, Downs, Felch, Fitzpatrick, Foote, Jones, Norris, Rusk, Soulé, Sturgeon, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Badger, Baldwin, Bell, Berrien, Borland, Bright, Butler, Calhoun, Clarke, Cooper, Corwin, Davis, of Massachusetts, Dawson, Dickinson, Greene, Hamlin, Hunter, Mangum, Mason, Miller, Morton, Phelps, Seward, Smith, Spruance, Upham, Wales, Webster.

On motion by Mr. Douglas to amend the resolution, by striking out all after the word "resolved," and inserting the following in lieu thereof: "*That the Vice President be requested to notify the Executive of the State of Illinois that the honorable James Shields has resigned his seat in this body;*"

It was determined in the negative, { Yeas ..... 12 / Nays 32

On motion by Mr. Douglas,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cass, Chase, Douglas, Downs, Fitzpatrick, Foote, Jones, Rusk, Soulé, Sturgeon, Underwood, Yulee.

Those who voted in the negative are,

Messrs. Atchison, Badger, Baldwin, Bell, Berrien, Borland, Bradbury, Bright, Butler, Calhoun, Clarke, Cooper, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dawson, Dickinson, Greene, Hamlin, Hunter, Mangum, Mason, Miller, Morton, Phelps, Seward, Smith, Spruance, Upham, Wales, Walker, Webster.

No further amendment being proposed, the resolution was then agreed to, as follows:

Resolved, That the election of James Shields to be a Senator of the United States was void, he not having been a citizen of the United States the term of years required as a qualification to be a Senator of the United States at the commencement of the term for which he was elected.

On motion by Mr. Webster,

Ordered, That the Vice President be requested to transmit to the Governor of the State of Illinois a copy of the said resolution, attested by the Secretary of the Senate.

After the consideration of executive business,

The Senate adjourned.

FRIDAY, March 16, 1849.

The Vice President being absent, the Senate proceeded to the choice of a President pro tempore, as the Constitution provides.

On motion by Mr. Mangum,

Resolved, That the honorable David R. Atchison be appointed President of the Senate pro tempore.

On motion by Mr. Mangum,

Ordered, That the Secretary wait on the President of the United States, and inform him that the Senate, in the absence of the Vice President of the United States, have chosen the honorable David R. Atchison, President of the Senate pro tempore.

On motion by Mr. Bell,

Ordered, That the Committee on Indian Affairs be discharged from the consideration of the memorial of Will. P. Ross, W. S. Coodey, and John Drew, and that it be printed.

Mr. Mangum submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary be directed to purchase, for the use of the Senate, one hundred and twenty copies of the work on the Treasury Department, compiled and published under the authority of the Secretary of the Treasury, by Robert Mayo, provided the price does not exceed five dollars per copy of two quarto volumes each.

On motion by Mr. Hunter,

Ordered, That the heirs of William Ramsay have leave to withdraw their petition and papers.

Mr. Rusk submitted the following resolution for consideration:

Resolved, That the Sergeant-at-Arms of the Senate continue the messengers and folders during the recess of Congress as long as the public service may require.

Mr. Bright submitted the following resolution for consideration:

Resolved, That B. F. Brown be employed as a clerk in the Senate under the direction of the Secretary.

After the consideration of executive business,

The Senate adjourned.

SATURDAY, March 17, 1849.

On motion by Mr. Berrien,

The Senate proceeded to the consideration of executive business; and after the consideration of that business,

On motion by Mr. Badger,

The Senate adjourned.

MONDAY, March 19, 1849.

The Senate proceeded to consider the resolution, submitted by Mr. Rusk the 16th instant, relative to continuing the messengers and folders during the recess of the Senate; and,

On motion by Mr. Bright,

Ordered, That it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The Senate proceeded to consider the resolution, submitted by Mr. Bright the 16th instant, relative to the employment of B. F. Brown as a clerk; and,

On motion by Mr. Bright,

Ordered, That it lie on the table.

Mr. Foote submitted the following resolution for consideration:

Resolved, That five thousand copies of the opinions of the judges of the Supreme Court in the cases of "Norris *vs.* the city of Boston" and "Smith *vs.* Turner," be printed for the use of the Senate; the same to be printed in pamphlet form, in the same style and manner as the decisions of the Supreme Court are usually executed.

Mr. Morton submitted the following resolution for consideration:

Resolved, That the claimants, or their attorney, in the following private claims have leave to withdraw their papers from the files of the Senate:

The heirs of Bartlett Hinds, the heirs of Joshua Eddy, the heirs of Jonathan Smith, the heirs of James Livingston, the heirs of Thomas Hughes, J. E. Scott, Benjamin Donkee, James Maxwell, William Jorry, Samuel Beach, Bartholomew Van Valkenburg, Christopher Delezenne, Jonathan Johnson, Judah Alden, James Hook, Drury Ragsdale, Henry Tatem, and Darius Garrison.

The President pro tempore laid before the Senate a report of the Secretary of War, communicating, in compliance with a resolution of the Senate of the 21st February last, a copy of the official journal of Lieutenant Colonel Philip St. George Cook from Santa Fé to San Diego; which was read.

After the consideration of executive business,

The Senate adjourned.

TUESDAY, March 20, 1849.

The Senate proceeded to consider the resolution submitted by Mr. Foote the 19th instant, directing that certain opinions of the Supreme Court be printed; and

On motion by Mr. Badger, it was modified by striking out "five thousand," and inserting "*ten thousand.*"

On the question to agree to the resolution,

It was determined in the affirmative, { Yeas ..... 22 / Nays 17

On motion by Mr. Foote,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Badger, Borland, Bradbury, Calhoun, Cass, Davis, of Massachusetts, Davis, of Mississippi, Dickinson, Douglas, Downs, Fitzpatrick, Foote, Greene, Hunter, Mangum, Morton, Norris, Phelps, Rusk, Seward, Turney, Wales.

Those who voted in the negative are,

Messrs. Atchison, Baldwin, Bell, Benton, Berrien, Bright, Butler, Chase, Corwin, Dawson, Dodge, of Iowa, Hale, Jones, Smith, Spruance, Underwood, Whitcomb.

So it was

Resolved, That five hundred of the two thousand copies of the geological report of David Dale Owen, which was ordered to be printed for the use of the Senate at the first session of the last Congress, be delivered to the Commissioner of the General Land Office for the use of his office, and that two thousand additional copies be furnished for the use of the Senate.

The President pro tempore laid before the Senate a letter from Thomas J. Campbell, Clerk of the House of Representatives, stating that the honorable Rudolphus Dickinson, late a member of the House of Representatives of the United States, from the State of Ohio, departed this life in Washington this morning, at 5 o'clock, and that his funeral ceremonies will take place from the Hall of the House of Representatives, to-morrow, at 12 o'clock, meridian; which was read.

Whereupon,

Mr. Chase submitted the following resolutions; which were considered, by unanimous consent, and agreed to:

Resolved, unanimously, That the members of the Senate have received with deep sensibility, information of the death of the honorable Rudolphus Dickinson, late a member of the House of Representatives of the United States, and a member elect of that House from the State of Ohio, and that they tender to the relatives of the deceased the expression of their sympathy in this afflicting bereavement.

Resolved, That the members of the Senate, as a mark of respect for the memory of the deceased, will attend his funeral to-morrow, at 12 o'clock, and wear crape on the left arm for thirty days.

Resolved, As a further mark of respect for the memory of the deceased, that the Senate do now adjourn.

Whereupon,

The Senate adjourned.

WEDNESDAY, March 21 1849.

The Senate having, in pursuance of the resolution of yesterday, attended the funeral of the honorable Rudolphus Dickinson, returned to their Chamber.

After the consideration of executive business,

The Senate adjourned.

THURSDAY, March 22, 1849.

Mr. Foote had leave to withdraw the resolution submitted by him the 20th instant, to procure additional copies of the geological report of David Dale Owen.

Mr. Foote submitted the following resolution for consideration:

Resolved, That the Secretary of the Interior be directed to transmit to the Senate copies of all the papers on file in the office of the Commissioner of Pensions relating to the application of John A. Rogers for a pension.

Mr. Hale presented the memorial of John A. Blake, praying to be allowed certain charges for binding; which was referred to the

Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. Webster submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That a committee, consisting of two members, be appointed by the President pro tempore to wait on the President of the United States and inform him that, unless he may have further communications to make, the Senate are ready to adjourn; and

Mr. Webster and Mr. Fitzpatrick were appointed.

After the consideration of executive business,

The Senate adjourned.

FRIDAY, March 23, 1849.

Mr. Badger submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of the Senate pay to Thomas Peters two hundred and sixty-three dollars, for extra services performed in the retiring and folding room.

The Senate proceeded to consider the resolution submitted by Mr. Foote, the 22d instant, directing that the papers relating to the application of John A. Rogers for a pension, be transmitted to the Senate, and agreed thereto.

Mr. Webster, from the committee, appointed the 22d instant, to wait on the President of the United States, and inform him that, unless he may have further communications to make, the Senate are ready to adjourn, reported that they had performed the duty assigned them, and that the President requested them to inform the Senate that he had no further communications to make. He requested the committee to tender his respects to the members of the Senate, and to say, that he wished them all a safe return to their homes, and a happy meeting with their families.

Mr. Greene submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the thanks of the Senate are due, and are hereby unanimously tendered, to the honorable David R. Atchison, for the ability and impartiality with which he has discharged the duties of presiding officer of this body.

Mr. Dodge, of Iowa, from the Committee to Audit and Control the Contingent expenses of the Senate, to whom was referred, the 19th instant, the resolution relative to continuing the messengers and folders during the recess of the Senate, reported the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the messengers and folders be continued in the employment of the Senate two months after the expiration of the present session, provided their services be necessary for that time.

On motion by Mr. Dodge, of Iowa,

Ordered, That the Committee to Audit and Control the Contingent Expenses of the Senate be discharged from the consideration of the memorial of John A. Blake.

Mr. Bradbury submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the thanks of the Senate are unananimously tendered to the honorable Millard Filmore, for the dignity and impartiality with which he discharged the duties of presiding officer of this body.

After the consideration of executive business,

On motion by Mr. Webster,

The Senate adjourned *sine die*.

EXECUTIVE PROCEEDINGS

OF

THE SENATE OF THE UNITED STATES,

FROM WHICH

The injunction of secrecy has been removed during 2d session of the 30th Congress, commencing Monday, December 4, 1848.

MESSAGE COMMUNICATING THE TREATY WITH NEW GRANADA, FROM WHICH THE INJUNCTION OF SECRECY HAS BEEN REMOVED.

FRIDAY, DECEMBER 22, 1848.

Mr. Baldwin submitted the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the injunction of secrecy be removed from the message and documents submitted by the President to the Senate, with the treaty of peace, amity, navigation, and commerce, between the United States of America and the republic of New Granada, on the 10th of February, 1847.

To the Senate of the United States:

I transmit to the Senate, for their advice with regard to its ratification, "a general treaty of peace, amity, navigation, and commerce, between the United States of America and the republic of New Granada," concluded at Bogota on the twelfth December last, by Benjamin A. Bidlack, chargé d'affaires of the United States, on their part, and by Manuel Maria Mallarino, Secretary of State and Foreign Relations, on the part of that republic.

It will be perceived by the thirty-fifth article of this treaty, that New Granada proposes to guaranty to the government and citizens of the United States the right of passage across the isthmus of Panama, over the natural roads, and over any canal or railroad which may be constructed to unite the two seas, on condition that the United States shall make a similar guaranty to New Granada of the neutrality of this portion of her territory, and her sovereignty over the same.

The reasons which caused the insertion of this important stipulation in the treaty, will be fully made known to the Senate by the accompanying documents. From these, it will appear that our

chargé d'affaires acted, in this particular, upon his own responsibility, and without instructions. Under such circumstances, it became my duty to decide whether I would submit the treaty to the Senate; and, after mature consideration, I have determined to adopt this course.

The importance of this concession to the commercial and political interests of the United States cannot easily be overrated. The route by the isthmus of Panama is the shortest between the two oceans; and, from the information herewith communicated, it would seem to be the most practicable for a railroad or canal.

The vast advantages to our commerce which would result from such a communication, not only with the west coast of America, but with Asia and the islands of the Pacific, are too obvious to require any detail. Such a passage would relieve us from a long and dangerous navigation of more than nine thousand miles around Cape Horn, and render our communication with our own possessions on the northwest coast of America comparatively easy and speedy.

The communication across the isthmus has attracted the attention of the government of the United States ever since the independence of the South American republics. On the third of March, eighteen hundred and thirty-five, a resolution passed the Senate in the following words:

"*Resolved*, That the President of the United States be respectfully requested to consider the expediency of opening negotiations with the governments of other nations, and particularly with the governments of Central America and New Granada, for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as may undertake to open a communication between the Atlantic and Pacific oceans, by the construction of a ship canal across the isthmus which connects North and South America; and of securing forever, by such stipulations, the free and equal right of navigating such canal to all such nations, on the payment of such reasonable tolls as may be established, to compensate the capitalists who may engage in such undertaking and complete the work."

No person can be more deeply sensible than myself of the danger of entangling alliances with any foreign nation. That we should avoid such alliances has become a maxim of our policy, consecrated by the most venerated names which adorn our history, and sanctioned by the unanimous voice of the American people. Our own experience has taught us the wisdom of this maxim in the only instance—that of the guaranty to France of her American possessions—in which we have ever entered into such an alliance. If, therefore, the very peculiar circumstances of the present case do not greatly impair, if not altogether destroy, the force of this objection, then we ought not to enter into the stipulation, whatever may be its advantages. The general considerations which have induced me to transmit the treaty to the Senate, for their advice, may be summed up in the following particulars:

1. The treaty does not propose to guaranty a territory to a foreign nation in which the United States will have no common interest with that nation. On the contrary, we are more deeply and directly interested in the subject of this guaranty than New Granada herself, or any other country.

2. The guaranty does not extend to the territories of New Granada generally, but is confined to the single province of the isthmus of Panama, where we shall acquire by the treaty a common and coextensive right of passage with herself.

3. It will constitute no alliance for any political object, but for a purely commercial purpose, in which all the navigating nations of the world have a common interest.

4. In entering into the mutual guaranties proposed by the thirty-fifth article of the treaty, neither the government of New Granada nor that of the United States has any narrow or exclusive views. The ultimate object, as presented by the Senate of the United States in their resolution to which I have already referred, is to secure to all nations the free and equal right of passage over the isthmus. If the United States, as the chief of the American nations, should first become a party to this guaranty, it cannot be doubted—indeed, it is confidently expected by the government of New Granada—that similar guaranties will be given to that republic by Great Britain and France. Should the proposition thus tendered be rejected, we may deprive the United States of the just influence which its acceptance might secure to them, and confer the glory and benefits of being first among the nations in concluding such an arrangement upon the government either of Great Britain or France. That either of these governments would embrace the offer, cannot well be doubted; because there does not appear to be any other effectual means of securing to all nations the advantages of this important passage, but the guaranty of great commercial powers that the isthmus shall be neutral territory. The interests of the world at stake are so important, that the security of this passage between the two oceans cannot be suffered to depend upon the wars and revolutions which may arise among different nations.

Besides, such a guaranty is almost indispensable to the construction of a railroad or canal across the territory. Neither sovereign States nor individuals would expend their capital in the construction of these expensive works, without some such security for their investments.

The guaranty of the sovereignty of New Granada over the isthmus is a natural consequence of the guaranty of its neutrality, and there does not seem to be any other practicable mode of securing the neutrality of this territory. New Granada would not consent to yield up this province in order that it might become a neutral State; and if she should, it is not sufficiently populous or wealthy to establish and maintain an independent sovereignty. But a civil government must exist there, in order to protect the works which shall be constructed. New Granada is a power which will not excite the jealousy of any nation. If Great Britain, France, or the

United States held the sovereignty over the isthmus, other nations might apprehend that, in case of war, the government would close up the passage against the enemy; but no such fears can ever be entertained in regard to New Granada.

This treaty removes the heavy discriminating duties against us in the ports of New Granada, which have nearly destroyed our commerce and navigation with that republic, and which we have been in vain endeavoring to abolish for the last twenty years.

It may be proper, also, to call the attention of the Senate to the twenty-fifth article of the treaty, which prohibits privateering in case of war between the two republics, and also to the additional article which nationalizes all vessels of the parties, which "shall be provided by the respective governments with a patent issued according to its laws;" and, in this particular, goes further than any of our former treaties."

JAMES K. POLK.

WASHINGTON, *February* 10, 1847.

[The documents communicated with this message were not ordered to be printed *in legislative session*, although the injunction of secrecy was removed from them.]

Proceedings of the Senate on the treaty with the Menomonee Indians, from which the injunction of secrecy has been removed.

FRIDAY, JANUARY 19, 1849.

On motion by Mr. Atchison,

Ordered, That the injunction of secrecy be removed from the articles of a treaty with the Menomonee Indians, concluded on the 18th October, 1848, together with the message and documents accompanying the same, and the proceedings of the Senate thereon.

TUESDAY, DECEMBER 12, 1848.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I transmit herewith, for the consideration and advice of the Senate, with regard to its ratification, a treaty concluded on the eighteenth of October, eighteen hundred and forty-eight, by William Medill, Commissioner of Indian Affairs, on the part of the United States, and the chiefs and headmen of the Menomonee Indians; together with a report of the Commissioner of Indian Affairs, and other papers explanatory of the same.

JAMES K. POLK.

WASHINGTON, *December* 12, 1848.

The message was read.

The articles of a treaty, made and concluded at Lake Paw-aw-hay-kon-nay, in the State of Wisconsin, on the 18th day of October, 1848, between the United States of America, by William Medill, a commissioner duly appointed for that purpose, and the Menomonee tribe of Indians, by the chiefs, headmen, and warriors of said tribe, were read a first time.

On motion by Mr. Allen,

Ordered, That these articles of a treaty, together with the message and accompanying documents, be referred to the Committee on Indian Affairs, and printed in confidence for the use of the Senate.

FRIDAY, JANUARY 19, 1849.

Mr. Atchison, from the Committee on Indian Affairs, to whom was referred, the 12th December, the articles of a treaty, made and concluded at Lake Paw-aw-hay-kon-nay, in the State of Wisconsin, on the 18th day of October, 1848, between the United States of America, by William Medill, a commissioner duly appointed for that purpose, and the Menomonee tribe of Indians, by the chiefs, headmen, and warriors of said tribe, reported the same without amendment.

On motion by Mr. Atchison,

The Senate, as in Committee of the Whole, proceeded to consider the said articles of a treaty; and no amendment being made thereto, they were reported to the Senate.

Mr. Atchison submitted the following resolution for consideration:

Resolved, (*two-thirds of the Senators present concurring*,) That the Senate advise and consent to the ratification of the "articles of a treaty, made and concluded at Lake Paw-aw-hay-kon-nay, in the State of Wisconsin, on the 18th day of October, 1848, between the United States of America, by William Medill, a commissioner duly appointed for that purpose, and the Menomonee tribe of Indians, by the chiefs, headmen, and warriors of said tribe."

The Senate, by unanimous consent, proceeded to consider the said resolution:

On the question to agree thereto,

It was determined in the affirmative, { Yeas ..... 36 / Nays 5

Those who voted in the affirmative are,

Messrs. Allen, Atchison, Atherton, Badger, Berrien, Breese, Cameron, Clarke, Clayton, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dickinson, Dodge, of Iowa, Downs, Fitzpatrick, Foote, Greene, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Jones, King, Mason, Metcalfe, Miller, Niles, Phelps, Rusk, Sebastian, Spruance, Sturgeon, Underwood, Upham, Walker.

Those who voted in the negative are,

Messrs. Borland, Bright, Douglas, Turney, Yulee.

Ordered, That the secretary lay the said resolution before the President of the United States.

Proceedings of the Senate in relation to the transfer of certain stock of the Chickasaw to the Choctaw Indians, from which the injunction of secrecy has been removed.

FRIDAY, JANUARY 19, 1849.

On motion by Mr. Atchison,

Ordered, That the injunction of secrecy be removed from the report and resolution of the 21st December, 1840, in relation to the transfer of certain stock of the Chickasaw to the Choctaw Indians, from the messages and documents communicated to the Senate relative thereto, and from the proceedings of the Senate thereon.

THURSDAY, DECEMBER 17, 1840.

Ordered, That the following message from the President of the United States of the 10th instant, relating to the transfer of Chickasaw stock to the Chocktaw tribe of Indians, which was this day transferred from the legislative journal, be referred to the committee on Indian Affairs:

To the Senate of the United States:

I transmit, for the action of the Senate, a communication from the Secretary of War, on the subject of the transfer of Chickasaw stock to the Choctaw tribe, which the accompanying papers explain.

M. VAN BUREN.

WASHINGTON, *December* 10, 1840.

WAR DEPARTMENT, *December* 10, 1840.

SIR: I have the honor to lay before you a communication from the Commissioner of Indian Affairs, relative to the transfer of $500,000 Chickasaw stock to the Choctaws, in execution of the compact of 17th January, 1837, between those tribes, that, if you think it advisable, you may assent to the proposed transfer, and lay the matter before the Senate for the sanction of that body.

Very respectfully, your most obedient servant,

J. R. POINSETT.

To the PRESIDENT
Of the United States.

WAR DEPARTMENT,
Office of Indian Affairs, December , 1840.

SIR: A compact was made on the 17th January, 1837, "subject to the approval of the President and Senate of the United States," which it received from the former, on the 24th March, 1837, in conformity with the resolution of the Senate of 25th February, between the Choctaw and Chickasaw tribes of Indians, of which I have the honor to enclose a copy.

By this instrument, the right to occupy a portion of the Choctaw country west of the Mississippi, was, with certain privileges, secured to the Chickasaws, who agreed to pay therefor $530,000, of which $30,000 were paid in 1837, and the remaining $500,000 it was agreed should be invested under the direction of the government of the United States, and that the interest should be paid annually to the Choctaws.

There being no money to place in the hands of the United States, but a very large amount of Chickasaw stock, under the direction of the treasury, the reasonable desire of the Choctaws, that this large fund belonging to them should be put in their own names on the books of the government, can be gratified by a transfer of so much of the stock to the Secretary of War for their use, upon which the interest will be received and paid over to them. This will be an execution of the agreement of the parties. A sale of stocks to raise the money, and then a re-investment of it, according to the letter of the compact, ought not to be resorted to, on account of their present low price in the market.

In considering this subject in the course of the autumn, the 13th article of the treaty of 24th May, 1834, with the Chickasaws, was adverted to, by which it is provided, "If the Chickasaws shall be so fortunate as to procure a home within the limits of the United States, it is agreed that, with the consent of the President and Senate, so much of their invested stocks as may be necessary to the purchase of a country for them to settle in shall be permitted to them to be sold; or, the United States will advance the necessary amount, upon a guaranty and pledge of an equal amount of their stocks." The compact, before referred to, having been ratified by the President and Senate, it was doubted whether that was not a virtual consent to the application of so much of the stock as would be required to pay for the land and privileges contracted for by the said compact, and an authority for the transfer of it. The question was referred to the Attorney General, who was of opinion that the transfer could not be legally made without the assent of the President and Senate to the particular act.

I have, therefore, respectfully to request that you will lay the matter before the President, that, if he concurs in the propriety of so doing, he may give his own and ask the consent of the Senate to the proposed proceeding.

Very respectfully, your most obedient servant,

T. HARTLEY CRAWFORD.

Hon. J. R. POINSETT,
Secretary of War.

MONDAY, DECEMBER 21, 1840.

Mr. Sevier, from the Committee on Indian Affairs, to whom was referred, on the 17th instant, the message from the President relating to the transfer of the Chickasaws' stock to the Choctaw tribe of Indians, reported the following resolution; which was read and agreed to:

Whereas, the thirteenth article of the treaty of 24th May, 1834, with the Chickasaw tribe of Indians, provides "that if they shall be so fortunate as to procure a home within the limits of the United States, so much of their invested stocks as may be necessary to the purchase of a country for them to settle in, shall be permitted to them to be sold," with the consent of the President and Senate: And whereas, the Chickasaws, by compact made with the Choctaws on the 17th January, 1837, did purchase "a home," for which they are indebted to the Choctaws in the sum of five hundred thousand dollars, therefore,

Be it resolved, That the consent of the Senate of the United States be, and the same is hereby, given to the transfer of the Chickasaws' stock, not exceeding five hundred thousand dollars, standing on the books of the treasury to their credit, to the Secretary of War, for the time being, to be held to, and for the use of, the Choctaws, according to the terms and in execution of the compact aforesaid, of 17th January, 1837.

TUESDAY, JANUARY, 13, 1846.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I transmit to the Senate a report of the Secretary of War, with accompanying papers* showing the measures which have been adopted in relation to the transfer of certain stocks between the Chickasaw and Choctaw Indians, under the treaty between those tribes, of the 24th March, 1837. The claim presented by the "Choctaw general council," if deemed to be founded in equity, cannot be adjusted without the previous advice and consent of the Senate.

JAMES K. POLK.

WASHINGTON, *January* 13, 1846.

The message was read.

Ordered, That it be referred to the Committee on Indian Affairs.

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* These papers and documents, belonging to the executive files, from which the injunction of secrecy has also been removed, were not printed.

TUESDAY, AUGUST 4, 1846.

Mr. Sevier, from the Committee on Indian Affairs, made the following report:

The Committee on Indian Affairs, to whom was referred, the 13th of January, the message from the President in relation to the measures which have been adopted as to the transfer of certain stocks between the Chickasaw and Choctaw Indians, have had the subject under consideration, and report:

That this transaction between the Chickasaws and Choctaws was founded upon a convention and agreement made on the 17th day of of January, 1837, by which the Chickasaws obtained the possession of a district of country from the Choctaws, for which they engaged to pay the sum of $530,000; $30,000 of which to be paid, "and the remaining $500,000 to be invested in some safe and secure stocks, under the direction of the government of the United States, redeemable within a period of not less than twenty years; and the government of the United States shall cause the interest arising therefrom to be paid annually to the Choctaws."

By the thirteenth article of the treaty of the 24th May, 1834, with the Chickasaw tribe of Indians, it was provided "that if the Chickasaws shall be so fortunate as to procure a home within the limits of the United States, it is agreed that, with the consent of the President and Senate, so much of their invested stocks as may be necessary to the purchase of a country for them to settle in shall be permitted to them to be sold."

The arrangement between those tribes having been concluded by their agreement of the 17th January, 1837, as above stated, and submitted to the Senate for their consideration and consent, if approved, that consent was given in the following terms:

"*Be it resolved*, That the consent of the Senate of the United States be, and the same is hereby, given to the transfer of the Chickasaws' stock, not exceeding $500,000, standing on the books of the treasury to their credit, to the Secretary of War, for the time being, to be held to, and for the use of, the Choctaws, according to the terms, and in execution, of the compact aforesaid, of 17th January, 1837."

It will be seen from the premises, that the Senate has, by its action, fully corresponded with the terms of the convention and agreement between the United States and the Chickasaws, concluded on the 24th May, 1834, and accorded its consent, as invoked, to the agreement between the Chickasaws and Choctaws, of the 17th January, 1837, so far as it was requisite, to authorize the application of the stock of the Chickasaws to the payment of the Choctaws.

The execution of the intentions of the Senate, as expressed in their resolutions, belonged to the executive department of the government; and, as those intentions were fully expressed, and the *necessary* power fully conferred, the committee might close this *report by the* remark, that should the arrangement not have been

completed, then this power has not been expended, but may still be employed to its consummation.

But it appears by the documents communicated to the Senate by the President, that, since the transfer of the stock belonging to the Chickasaws to the Choctaws, and the acceptance by the latter, in February, 1841, "in full discharge of this obligation," the authorities of the Choctaws have discovered that this stock received by them at $500,000 had cost the Chickasaws but $495,000; and upon this idea they base a claim against the Chickasaws for the difference of "$5,000, with interest from the date of transfer," and this claim is brought forward without any proof of the intrinsic value of the stock at the time of transfer; while the committee believe that, in this transaction between two Indian tribes, the one conveying, and the other receiving, a consideration in discharge of an obligation, even should proof have been exhibited of the deficiency in value of the consideration, it would be irregular, if not unwarrantable, without a full understanding between the parties, and the consent of the Chickasaws, to make any further appropriation of their stock, in the hands of the government acting as their trustee.

The inexpediency, if not impropriety, of any interference with the rights of the Chickasaws in this matter will be still more apparent, when it is considered that, so far from the stock conveyed to the Choctaws being under the value of $500,000, it appears from the report of the Secretary of War, of the 14th January, 1843, to the House of Representatives, (Doc. No. 65, page 65,) that there was paid from the Chickasaw fund, for the same number of bonds of Alabama 5 per cent. stock, on the 29th May, 1838, the sum of $520,000, including a premium of $20,000.

As regards the rate of interest to be realized by the Choctaws from the stock transferred to them, no reference whatever is made to it in the agreements presented for the consideration of the Senate, and it therefore requires no remark on the part of the committee.

Under all the circumstances of the case, the committee can perceive no ground for any further action of the Senate on the subject, and therefore ask to be discharged from its further consideration.

Proceedings of the Senate on the case of Major George B. Crittenden, and on the nominations of John S. Simonson and others.

FRIDAY, MARCH 2, 1849.

On motion by Mr. Bright,

Ordered, That the injunction of secrecy be removed from the nominations of John S. Simonson, William W. Taylor, Andrew J. Lindsay, Julian May, Daniel M. Frost, William B. Lane, and Caleb E. Irvine, contained in the message of the 12th December last, from the report and resolution of the Committee on Military Affairs, on the subject of the said nominations; and the case of Major George B. Crittenden, submitted the 28th February last, and from the proceedings of the Senate on the same.

TUESDAY, DECEMBER 12, 1848.

The following message was received from the President of the United States, by Mr. Walker, his Secretary:

To the Senate of the United States:

I nominate the officers named in the accompanying communication, for regular promotion in the Army of the United States, as proposed by the Secretary of War.

JAMES K. POLK.

WASHINGTON, *December* 12, 1848.

WAR DEPARTMENT,
Washington, December 11, 1848.

PROMOTIONS IN THE ARMY OF THE UNITED STATES.

Regiment of Mounted Riflemen.

Captain John S. Simonson, to be major, August 19, 1848, *vice* Crittenden, cashiered.

First Lieutenant William W. Taylor, to be captain, August 19, 1848, *vice* Simonson, promoted.

First Lieutenant Andrew J. Lindsay, to be captain, October 31, 1848, *vice* Taylor, resigned.

Second Lieutenant Julian May, to be first lieutenant, August 19, 1848, *vice* Taylor, promoted.

Second Lieutenant Daniel M. Frost, to be first lieutenant, October 31, 1848, *vice* Lindsay, promoted.

Brevet Second Lieutenant William B. Lane, to be second lieutenant, August 19, 1848, *vice* May, promoted.

Brevet Second Lieutenant Caleb E. Irvine, to be second lieutenant, October 31, 1848, *vice* Frost, promoted.

The message was read.

Ordered, That the nominations for promotion in the army be referred to the Committee on Military Affairs.

WEDNESDAY, FEBRUARY 28, 1849.

Mr. Davis, of Mississippi, from the Committee on Military Affairs, to whom were referred, the 12th December last, the nominations of John S. Simonson, William W. Taylor, Andrew J. Lindsay, Julian May, Daniel M. Frost, William B. Lane, and Caleb E. Irvine, submitted the following report:

The Committee on Military Affairs, to whom was referred the nomination of "Captain John S. Simonson to be major, August 19, 1848, vice Crittenden, cashiered," have considered the same, and report:

That having their attention drawn to the proceedings of the court martial before which Major Crittenden was tried, they called on the Secretary of War for a copy of the record of the trial of said Major Crittenden, and find such irregularities and defecis in the proceedings as, in their opinion, vitiate the sentence of the court.

The 64th, 69th, and 75th of the rules and articles of war require that general courts martial shall consist of not less than thirteen members, where that number can be convened without manifest injury to the service; and that, in addition to the members of the court, there shall be a judge advocate appointed to prosecute in the name of the United States; also, under certain limitations, to act as counsel for the prisoner, and who shall act under oath, as specified in the 69th article of war.

It is further prescribed that no officer shall be tried by officers of inferior rank, if it can be avoided; nor shall any proceedings or trial be carried on excepting between the hours of eight in the morning and three in the afternoon, excepting in cases which, in the opinion of the officer appointing the court martial, require immediate example.

It appears by a statement of the Adjutant General, that in the corps d'armeè, with which Major Crittenden was serving, there were present four hundred and eighteen officers, and in the divisiod to which he was attached one hundred officers were present; and the committee have not been able to ascertain why, when the re-establishment of peace had suspended all active operations, a full court could not have been assembled to try a cause which involved the commission of an officer; nor why, for such an offence as that for which Major Crittenden was tried, the trial might not have been deferred until after the troops returned to the United States, and time *and place* gave opportunity for a regular, full, and patient

investigation. From the proceedings, as submitted to the committee, it does not appear that the judge advocate of the court acted under oath, as required by the article of war; but, on the other hand, it is plainly to be inferred that this necessary qualification for the discharge of his duties was either neglected or disregarded.

In the original composition of the court there were but seven members, all of them in linear rank inferior to Major Crittenden, the officer to be tried, and that but three of them held the same grade by brevet. The sessions of the court were held at different encampments on the march from the city of Mexico to Vera Cruz; two members of the court were unable to keep up with its progress, and the trial continued at the subsequent meetings of the court with five members, of whom but two were (by brevet) of equal grade to the accused.

By special authority, the court held its sessions without regard to hours, though by the articles of war this is restricted to cases which "require immediate example" to be made. This justification cannot be offered in the present case, because whatever might be the opinion of the commanding officer, the sentence of the court could only be carried into effect after the approval of the President; and therefore the argument of immediate example could have no application.

To the defect of number, legal qualification and rank is to be added the consideration that the court held its sessions amid the confusion of a marching column, and as appears by its proceedings, continued to investigate charges against the accused whilst he was laboring under ill health; and, finally, to sentence him, without the brief delay he asked to enable him to avail himself of the assistance of his counsel, an officer temporarily absent on detached service, in the preparation of his defence.

All this in a state of peace and the profound subordination of a disciplined army.

The commanding officer who ordered the court, in a letter of November 15, 1848, which was laid before the committee, says, in relation to the propriety of having postponed the trial of Major Crittenden until a court of thirteen members could be convened: "I cannot pretend to say that this proposition presented itself to me in the precise form in which you have placed it;" and again, "I shall feel neither mortification nor regret should the facts on which I based my opinions prove upon examination to be incorrect. On the contrary, it will be rather a source of gratulation, should an error of mine in any degree contribute to the restoration of an officer to the service of his country, who, but for one unfortunate weakness—which I feel assured he corrected—would be an ornament to any service."

For all the reasons stated, and under the attending circumstances of the case, from all the evidence before them, the committee are of opinion that Major Crittenden should have had the benefit of the rules and forms of trial as provided for ordinary cases, and which were *established by law* to secure the rights and guard the honor of officers *of the United States army*; that these have been omitted or disre-

garded to such extent as to invalidate the finding and sentence of the court against Major Crittenden; and, therefore, that properly, justly, legally, no vacancy, such as is contemplated in the nomination under consideration exists, and recommend the adoption of the following resolution:

Resolved, That the nominations for promotion based upon the dismissal of Major George B. Crittenden, regiment of mounted riflemen, be, and are, indefinitely postponed; the proceeding of the court martial which resulted in the dismissal of the said Crittenden being, in the judgment of the Senate, so irregular and contrary to the directions of law as to render the sentence of the court illegal, and therefore no vacancy has thereby been prodnced.

The report was read.

FRIDAY, MARCH 2, 1849.

On motion by Mr. Davis, of Mississippi, the Senate proceeded to consider the resolution reported from the Committee on Military Affairs, the 28th February, in relation to the nomination for promotion, based upon the dismissal of Major George B. Crittenden; and,

On the question to agree thereto,

It was determined in the affirmative, { Yeas..... 35 / Nays..... 12

On motion by Mr. Bright,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Badger, Baldwin, Bell, Benton, Berrien, Breese, Cameron, Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississippi, Dayton, Dix, Dodge, of Iowa, Downs, Fitzpatrick, Greene, Hale, Hannegan, Houston, Johnson, of Maryland, Johnson, of Louisiana, Jones, Mangum, Metcalfe, Miller, Niles, Rusk, Spruance, Sturgeon, Underwood, Upham, Wales, Westcott.

Those who voted in the negative are,

Messrs. Atherton, Borland, Bright, Butler, Calhoun, Douglas, Foote, Hunter, Johnson, of Georgia, Mason, Turney, Yulee.

So the resolution was agreed to.

Ordered, That the Secretary lay the report of the Committee on Military Affairs on the subject, together with the said resolution, before the President of the United States.

EXECUTIVE PROCEEDINGS

OF

THE SENATE OF THE UNITED STATES,

FROM WHICH

The injunction of secrecy has been removed, during the special session of the Senate, commencing Monday, March 5, 1849.

Proceedings of the Senate on the treaty with the Stockbridge Indians, from which the injunction of secrecy has been removed.

WEDNESDAY, MARCH 7, 1849.

On motion by Mr. Dickinson,

Ordered, That the injunction of secrecy be removed from the proceedings of the Senate on the articles of agreement and treaty made with the Stockbridge tribe of Indians on the 24th November, 1848.

TUESDAY, FEBRUARY 6, 1849.

The following message was received from the President of the United States, by Mr. Walker, his secretary:

To the Senate of the United States:

I transmit, herewith, for the consideration and advice of the Senate, with regard to its ratification, a treaty, concluded on the 24th day of November, 1848, by Morgan L. Martin and Albert G. Ellis, commissioners on the part of the United States, and the sachems, councillors, and head men of the Stockbridge tribe of Indians, together with a report of the Commissioner of Indian Affairs, and other papers explanatory of the same.

JAMES K. POLK.

WASHINGTON, *February* 5, 1849.

The message was read.

The articles of agreement and treaty, made and concluded at *Stockbridge, in the* State of Wisconsin, on the 24th day of No-

vember, in the year of our Lord, 1848, by and between Morgan L. Martin and Albert G. Ellis, commissioners on the part of the United States of America, and the Stockbridge tribe of Indians, was read the first time; and,

On motion by Mr. Atchison,

Ordered, That the articles of agreement and treaty, with the message and accompanying documents, be referred to the Committee on Indian Affairs, and printed in confidence for the use of the Senate.

THURSDAY, March 1, 1849.

Mr. Bell, from the Committee on Indian Affairs, to whom was referred the 6th February, the articles of agreement and treaty with the Stockbridge tribe of Indians, reported it with the following amendment:

Add the following as supplemental articles:

Whereas, the Stockbridge and Munsee Indians consider that they have a claim against the United States for indemnity for certain lands on White river, in tne State of Indiana, and for certain other lands in the State of Wisconsin, which they allege they have been deprived of, by treates entered into with the Miamis and Delawares, or to the lands claimed by them in Indiana, and with the Menomonies and Winnebagos, or to the lands in Wisconsin, without their consent: And whereas, the said Stockbridge and Munsee Indians, by their chiefs and agents, have continued to prosecute their said claims during the last twenty years, at their own expense, except the sum of three thousand dollars paid them in 1821: And whereas, it is desirable that all ground of discontent on the part of said Indians shall be removed, the United States do further stipulate, in consideration of the relinquishment by them of said claims, and all others, except as provided in this treaty, to pay to the sachems, or chiefs, of said Indians, on the ratification of this article by them, with the assent of their people, the sum of five thousand dollars, and the further sum of twenty thousand dollars, to be paid in ten annual instalments, to commence when the said Indians shall have selected and removed to their new homes, as contemplated by the seventh article of this treaty.

The President of the United States, within two years of the ratification of this treaty, shall procure for the use of said Stockbridge Indians a quantity of land west of the Mississippi river, upon which they shall reside, not less than seventy-two sections; said Indians to be consulted as to the location of said land, and to be holden by the same tenure as other Indian lands.

On motion by Mr. Bell,

The Senate, by unanimous consent, proceeded to consider as in Committee of the Whole, the said articles of agreement and treaty; and

On the question, "Shall the said additional articles reported by the committee stand as part of the treaty?"

It was determined in the affirmative, { Yeas..... 37 / Nays..... 2

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Baldwin, Bell, Berrien, Borland, Clarke, Corwin, Davis, of Massachusetts, Davis of Mississippi, Dickinson, Dix, Dodge, of Iowa, Douglas, Downs, Fitzpatrick, Foote, Hannegan, Houston, Johnson, of Maryland, Johnson, of Louisiana, Johnson, of Georgia, Jones, King, Mangum, Miller, Niles, Pearce, Phelps, Rusk, Sebastian, Spruance, Sturgeon, Underwood, Wales, Walker, Yulee.

Those who voted in the negative are,

Messrs. Cameron and Westcott.

So the amendment was agreed to.

And no further amendment being made, the treaty was reported to the Senate, and the amendment was concurred in.

Mr. Bell submitted the following resolution for consideration:

Resolved, (*two-thirds of the Senators present concurring*,) That the Senate advise and consent to the ratification of the articles of agreement and treaty made and concluded at Stockbridge, in the State of Wisconsin, on the 24th day of November, in the year of our Lord, 1848, by and between Morgan L. Martin and Albert G. Ellis, commissioners on the part of the United States of America and the Stockbridge tribe of Indians, with the following

Amendment:

Add the following as supplemental articles:

Whereas, the Stockbridge and Munsee Indians consider that they have a claim against the United States for indemnity for certain lands on White river, in the State of Indiana, and for certain other lands in the State of Wisconsin, which they allege they have been deprived of by treaties entered into with the Miamas and Delawares, or to the lands claimed by them in Indiana, and with the Menomonies and Winnebagos, or to the lands in Wisconsin, without their consent: And whereas, the said Stockbridge and Munsee Indians, by their chiefs and agents, have continued to prosecute their said claims during the last twenty years at their own expense, except the sum of three thousand dollars paid them in 1821: And whereas, it is desirable that all ground of discontent on the part of said Indians shall be removed, the United States do further stipulate, in consideration of the relinquishment by them of said claims and all others, except as provided in this treaty, to pay to the sachems or chiefs of said Indians, on the ratification of this article by them, with the assent of their people, the sum of five thousand dollars, and the further sum of twenty thousand dollars, to be paid in ten annual instalments, to commence when the said Indians shall have selected and removed to their new homes, as contemplated by the seventh article of this treaty.

The President of the United States, within two years from the ratification of this treaty, shall procure, for the use of said Stock-

bridge Indians, a quantity of land west of the Mississippi r upon which they shall reside, not less than seventy-two sect 368, 369 said Indians to be consulted as to the location of said land, an 171 be holden by the same as other Indian lands.

The Senate, by unanimous consent, proceeded to consider 179 said resolution; and 94, 226

On the question to agree thereto,

It was determined in the affirmative, { Yeas ..... 226 / Nays ..... 368, 368 / 368

Those who voted in the affirmative are,

Messrs. Atchison, Atherton, Baldwin, Bell, Berrien, Bradbu Clarke, Corwin, Davis, of Massachusetts, Davis, of Mississip Dickinson, Dix, Dodge, of Iowa, Downs, Fitzpatrick, Hannegs Houston, Johnson, of Maryland, Johnson, of Georgia, Jones, Kin, Mangum, Miller, Niles, Pearce, Phelps, Rusk, Spruance, Under wood, Wales, Walker, Yulee.

Those who voted in the negative are,

Messrs. Bright, Cameron, Westcott.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

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THIRTIETH CONGRESS, SECOND SESSION.

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Number.	Title.	First reading.	Proceedings before passage.	Passed Senate.	Passed H. R.	Other proceedings.	Approved.
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343	A bill to provide for carrying into effect the fifth article of the treaty between the United States and the Mexican republic, for establishing the boundary line between them.	....	.....	....	282	284, 313, 328	
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351	A bill authorizing the payment of interest upon the advances made by the State of Alabama for the use of the United States government, in the suppression of the Creek Indian hostilities of 1836 and 1837, in Alabama.	62	62	62	139	145, 146, 153	160
352	A bill to make compensation for the transportation of troops and supplies, for a limited time, over the isthmus of Panama.	6	68, 160, 167, 171, 188				
353	A bill to provide for taking the seventh census or enumeration of the inhabitants of the United States.	64	260, 285				
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357	A bill authorizing new selections of land in lieu of worthless school sections, or sections of inferior quality, and for other purposes.	68	172				
358	A bill for the remission of duties on an equatorial telescope, contracted for in London by order of trustees of the University of Alabama.	68	70				

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387	A bill to authorize the payment of invalid pensions in certain cases.	118	147				
388	A bill for the relief of James Hotchkiss.	123	284	284	....	317, 323	324
389	A bill for the relief of Samuel J. Bayard, late receiver at Fairfield, Iowa.	123	246				
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396	A bill to compensate the registers and receivers of the several land offices in the United States.	134					
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398	A bill to grant the right of way to the Mobile and Ohio Railroad Company.	145	145	145	305	305, 310, 324	335
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411	A bill to change the location of the land office in the Chippewa land district. (*Amended—see page* 241.)	165	241	241	274	281, 285, 290, 292, 309	311
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413	A bill declaratory of the act for the admission of the State of Iowa into the Union.	169	169	169	199	274, 281, 285, 290	311
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416	A bill to regulate the pensions of officers, soldiers, seamen, and marines, who have been or may hereafter be disabled while in the service of the United States.	177	268				
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419	A bill for the relief of John A. Rodgers	187					
420	A bill to authorize a change of the venue in certain cases.	187					
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423	A bill making an appropriation of money to improve the St. Clair flats, in the State of Michigan.	190					
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429	A bill making an appropriation of money for the improvement of the harbor at Providence, in the State of Rhode Island.	190					
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433	A bill making an appropriation of money for the improvement of Little Sodus bay, on Lake Ontario.	190					
434	A bill making an appropriation of money for the improvement of Eighteen Mile creek, on Lake Ontario.	190					
435	A bill making an appropriation of money for the improvement of the navigation of James river, in the State of Virginia.	190					
436	A bill making an appropriation of money for a survey and examination of Alleghany river.	190					

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Number.	Title.	First reading.	Proceedings before passage.	Passed Senate.	Passed H. R.	Other proceedings.	Approved.
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439	A bill making an appropriation of money for a survey and examination of the harbor at New Buffalo, on Lake Michigan.	191					
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443	A bill making an appropriation of money for the improvement of the harbor at Newcastle, in the State of Delaware.	191					
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446	A bill making an appropriation of money for the construction of a breakwater at Nantucket, in the State of Massachusetts.	191					
447	A bill making an appropriation of money for the improvement of the Ocracoke inlet, in the State of North Carolina.	191					
448	A bill making an appropriation of money for the improvement of the harbor at Sheboygan, on Lake Michigan.	191					
449	A bill making an appropriation of money for the improvement of the harbor at the mouth of Big Sandy creek, on Lake Ontario.	191					
450	A bill for the relief of William Miller..	192					
451	A bill to provide for the location and construction of a central national road from the Pacific ocean to the Mississippi river, with a branch of *said road* to the Columbia river.	192	283				

SENATE BILLS—Continued.

Number.	Title.	First reading.	Proceedings before passage.	Passed Senate.	Passed H. R.	Other proceedings.	Approved.
452	A bill giving the consent of Congress to the State of Illinois to improve the navigation of the Des Moines rapids of the Mississippi river, in the State of Illinois.	195					
453	A bill to authorize the payment to the State of Georgia of the unexpended balance of the sum of one hundred and seventy-five thousand dollars, which was appropriated to settle the claims of said State for the service of her militia, by the act of August 11, 1842, entitled "An act to provide for the settlement of the claims of the State of Georgia for the services of her militia."	195	200				
454	A bill to make further provision for the widows and orphans of officers, non-commissioned officers, musicians, and privates, whether of the regular army or volunteers, who have died or may die of diseases contracted while in the service of the United States, and in the line of their duty, in the prosecution of the war with Mexico.	195	201				
455	A bill to provide for the payment of horses and other property lost or destroyed in the military service of the United States.	201					
456	A bill for the relief of Lewis Merris and others.	201					
457	A bill for the relief of Mary B. Dix....	202	207, 218				
458	A bill to provide for the classification of the clerks in the military bureaus, and for other purposes.	202					
459	A bill for the relief of John P. Duval.	207					
460	A bill to extend an act herein mentioned.	209	281				
461	A bill for the relief of Samuel F. Read.	209					
462	A bill for the relief of the securities of Elijah J. Weed, late quartermaster of marines.	216					
463	A bill concerning lands lying between the meander line and middle of meandered rivers.	217	280				
464	A bill for the relief of Moses Meeker and David G. Bates.	217					
465	A bill for the relief of Guion and McGlaughlin.	222					
466	A bill granting to the State of Arkansas one salt spring and six sections of land adjoining.	222					
467*	A bill making an appropriation of money for the improvement of the harbor at Port Washington on Lake Michigan.	222					

SENATE BILLS—Continued.

Number.	Title.	First reading.	Proceedings before passage.	Passed Senate.	Passed H. R.	Other proceedings.	Approved.
467*	A bill to establish a mail route between such point in the valley of the Mississippi and such point in California on Pacific ocean as the President of the United States may direct.	226					
468	A bill for the relief of Maria Taylor	226					
469	A bill to authorize the selection of a part of Rock Island, in the Mississippi river, for the site of a marine hospital and for other purposes.	226					
470	A bill to extend the provisions of an act approved 3d March, 1847, for carrying into effect the existing compacts with the States of Alabama and Mississippi with regard to the 5 per cent. fund and school reservations.	227	238	236	239	253, 256, 257, 261	268
471	A bill for the further relief of the widows and orphans of officers and soldiers in the late war with Mexico.	227	282				
472	A bill authorizing the Galveston and Red River Railway Company to construct and extend a railway to the coast of the Pacific ocean in California.	227					
473	A bill to continue the light at Sands' Point, on Long Island.	234	240	240	274	281, 285, 290	311
474	A bill for the relief of Alexander Y. P. Garnett.	234					
475	A bill granting a pension to Sarah Crandall.	235					
476	A bill for the relief of Alexander Montgomery, captain and assistant quartermaster of the army.	235	316, 330...	330	330	333, 335	335
477	A bill for the relief of R. M. Martin...	239	298	298			
478	A bill for the relief of Alexander R. McKee and Johnson Price.	239					
479	A bill for the relief of the widow and heirs of Henry Perrine.	246					
480	A bill to remit or refund duties upon goods, wares and merchandise destroyed by fire.	251					
481	A bill for the relief of the heirs and representatives of the late Robert Sewall.	252					
482	A bill making a donation of land for the benefit of the Clarksville Institute for the education of the blind, and other purposes of education in the State of Arkansas.	256					
483	A bill to authorize the allowance of compensation to the registers and receivers of the several land offices of the United States, for locating military bounty land warrants, Choctaw land scrip, and for other purposes.	260	260	260			

SENATE BILLS—Continued.

Number.	Title.	First reading.	Proceedings before passage.	Passed Senate.	Passed H. R.	Other proceedings.	Approved.
484	A bill to amend an act entitled "An act for authenticating certain records," approved February 22, 1849.	268	268.....	268	274	281, 285 290	311
485	A bill making appropriations for light-houses, light boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes.	272	272	272	314	317, 323	324
486	A bill to authorize an entry of the land upon which Fort Atkinson is situated.	282	282				
487	A bill to reduce the minimum price of the mineral lands in the Lake Superior district in Michigan, and in the Chippewa district in Wisconsin.	282					
488	A bill to amend an act making provision for additional number of general officers and other purposes, passed 3d March, 1847.	283					
489	A bill amendatory of an act approved the 26th day of May, 1824, and re-enacted on the 17th June, 1844, entitled "An act enabling claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of their claims.	293					
490	A bill for the relief of Charles G. Gunter.	295	295	295			
491	A bill for the relief of Peter A. Carnes.	309					

RESOLUTIONS OF THE SENATE.

Number.	Title.	First reading.	Proceedings before passage.	Passed Senate.	Passed H. R.	Other proceedings.	Approved.
18	Resolution for the relief of Ann Chase.	....	120				
19	Resolution for the relief of John A. Bryan.	....	219				
36	Resolution explanatory of the act of June 2, 1848, entitled "An act to refund money for expenses incurred, subsistence or transportation furnished for the use of volunteers during the present war before being mustered and received into the service of the United States."	....	104				
38	Resolution of thanks to Brigadier General Price, his officers and men.	....	73				
39	Resolution of thanks to Colonel Doniphan, his officers and men.	....	73				
41	Resolution for the appointment of regents for the Smithsonian Institution.	52	52	52	58	60, 67	75
42	Resolution explaining the act to provide payment for horses and other property lost while engaged in the military service, approved January 18, 1837.	70					
43	Resolution for the relief of Major R. L. Baker, of the ordnance corps.	71	86	86			
44	Resolution directing the transportation in steam vessels of the mail from New Orleans to Vera Cruz.	72					
45	Resolution for the relief of the heirs of George Simpson.	72					
46	Resolution authorizing the Secretary of War to pay John C. Mullay $550 for certain services performed and expenses incurred for taking the census of the Cherokee Indians residing in North Carolina.	84					
47	Resolution relating to the compensation of persons appointed to deliver the votes for President and Vice President to the President of the Senate.	89	89	89	105	105, 110	111
48	Resolution giving three months' extra pay to all officers, non-commissioned officers, musicians, and privates of the volunteer service, for the term of enlistment during the late war with Mexico.	97	295				
49	Resolution authorizing the appointment of commissioners to examine into certain Indian debt claims.	110					
50	Resolution directing a sword to be presented to the nearest male relative of the late Major Samuel Ringgold.	110					
51	Resolution authorizing the appointment of a suitable person to make a geological reconnoissance of California and Oregon.	113					

SENATE RESOLUTIONS—Continued.

Number.	Title.	First reading.	Proceedings before passage.	Passed Senate.	Passed H. R.	Other proceedings.	Approved.
52	Resolution respecting the bounty land and extra pay allowed to substitutes of men enlisted for the Mexican war.	117	253	253			
53	Resolution allowing an additional compensation to military storekeeper John A. Webber.	159					
54	Resolution to provide for topographical surveys and reports of routes from the valley of the Mississippi to the Pacific ocean.	169					
55	Resolution extending the time for receiving proposals for the printing of Congress.	173	173, (178)	173	....	315	
56	Resolution authorizing the Secretary of War to furnish arms and ammunition to persons emigrating to Oregon, California, and New Mexico.	176	217	247	274	281, 285, 290	311
57	Resolution authorizing the Secretary of the Treasury to purchase certain copies of a work on the Treasury Department, compiled by Robert Mayo.	189					
58	Resolution to transfer transport vessels from the War to the Navy Department.	195					
59	Resolution to authorize the Secretary of the Treasury to make an equitable settlement with the sureties of Robert T. Lytle, late surveyor general of the district of Ohio.	210	210	210	272	272, 275, 290	311
60	Resolution to defray the expenses of certain Chippewas Indians and their interpreters.	216	216	216	229	234, 236, 237	254
61	Resolution to secure a burying ground in Mexico for the use of the citizens of the United States.	222	226				
62	Resolution respecting the procurement and publication of authentic information as to the laws of territories recently acquired from Mexico.	239					
63	Resolution providing for a branch mint at San Francisco, California.	252					
64	Resolution proposing amendments to the constitution	252					
65	Resolution to confer upon Major General Winfield Scott the brevet rank of lieutenant general.	256					
66	Resolution respecting the claim of A. S. & A. W. Benson.	279	279	279	....	317, 323	324
67	Resolution appropriating a sum of money to enable the President of the United States to make compensation for secret services in the war with Mexico.	282					
68	Resolution for the purpose of straightening the line between the lands of the naval hospital at New York and of the adjoining proprietors.	282					

SENATE RESOLUTIONS—Continued.

Number.	Title.	First reading.	Proceedings before passage.	Passed Senate.	Passed H. R.	Other proceedings.	Approved.
69	Resolution authorizing the examination and payment to Susan Coody, a Cherokee woman, and others, for property destroyed by certain disorderly soldiers of the United States forces stationed at Fort Gibson on the night of the 12th of March, 1845.	283	283	283			
70	Resolution to fix the meaning of the second section of an act for changing the location of the land office in the Chippewa land district, and establishing an additional land district in the State of Wisconsin.	291	291	291	310	311, 323	324
71	Resolution for a geological survey in detail.	295					
71	Resolution relative to the public printing.	....	314, 321	....	322	323	324

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
7	A bill directing the mode of settling the claims of Charles G. Ridgely.	....	....	120, 122, 132, 137			
13	A bill for the relief of Daniel Robinson.	....	....	329	329	333, 334	337
15	A bill for the settlement of the claims of New Hampshire against the United States.	200	207	283	283	237, 303	336
20	A bill for the relief Edward Quinn....	....	....	136	136	139, 152	
22	A bill for the relief of Elizabeth Clapper of Muskingum county, in the State of Ohio.	115					
24	A bill for the relief of George Newton.	....	....	192, 219	219	234, 236, 237	257
28	A bill for the relief of Calvin Emmons.	....	....	77, 119			
32	A bill for the relief of David Myerle..	....	....	153, 174	197		
45	A bill for the relief of the heirs and legal representatives of Rignald alias Nick Hillary.	....	....	240			
46	A bill for the relief of James McAvoy	....	....	187			
52	A bill for the relief of Charles Benns	....	....	327	327	328, 333, 334	338
53	A bill for the relief of John W. Hackett.	....	....	327	327	332, 334	337
59	A bill for the relief of Mrs. Ann W. Angus.	....	....	124	124	131, 138	
60	A bill for the relief of Elizabeth Mays	....	....	136	136	139, 152	
61	A bill for the relief of Nancy Tompkins	....	....	219	219	234, 236, 237	257
62	A bill for the relief of James Glynn and others.	....	....	219	219	234, 236, 237	257
63	A bill for the relief of James H. Conley.	....	....	136	136	139, 152	
71	A bill for the relief of Jesse Young....	....	....	100	219	234, 236, 237	257
76	A bill for the relief of David Thomas, of Philadelphia.	....	....	300	306	310, 311, 323	337
77	A bill for the relief of Stephen Champlin.	....	....	.....	....	139, 152	
85	A bill for the relief of William De Buys, late postmaster at New Orleans.	83	83	159, 172, 117, 195,	195	200, 230	233
92	A bill for the relief of William Fuller and Orlando Saltmarsh.	....	....	173	173	184, 208	
101	A bill for the relief of Esther Russell	....	....	78	78	87, 100	
110	A bill for the relief of Reuben Perry and Thomas P. Ligon.	....	....	77	87	100	
111	A bill for the relief of the heirs of Joseph Gerard.	....	....	113			
113	A bill for the relief of the owners of the Spanish brig Restauradar.	....	....	138	138	167, 171	176
119	A bill for the relief of Anthony Bessee.	....	....	90	90	110, 114, 116	131
121	A bill for the relief of G. F. De la Roche and W. T. S. Sanger.	....	....	136	136	139, 152	
125	A bill for the relief of Zilpha White...	....	....	78	78	87, 100	
127	A bill for the relief of Hugh Riddle....	....	....	90	90	94, 95, 100	
128	A bill for the relief of Thomas Badger.	....	....	136	136	139, 153	
129	A bill for the relief of Archibald Bull and Lemuel S. Finch.	....	....	78	78	87, 100	

HOUSE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
161	A bill for the relief of the legal representatives of Capt. George R. Shoemaker.	....	....	327	327	333, 334	337
162	A bill for the relief of Charles Waldron.	....	....	78	80	87, 100	
165	A bill for the relief of Jeremiah Moors.	83	84	144			
166	An act for the relief of Colonel Robert Wallace, aid-de-camp to Gen. William Hull.	....	....	78, 84	84	89, 92, 100	
170	A bill making appropriations for the preservation and repair upon certain harbors and rivers, and for the survey of certain harbors.	....	....	60, 190			
181	A bill for the relief of John P. Skinner and the legal representatives of Isaac Green.	83	84	115	298	310, 311, 323	
184	A bill amendatory of an act entitled "An act amendatory of 'An act entitled an act to incorporate the Provident Association of clerks in the civil departments of the government of the United States, in the District of Columbia,'" approved March 3, 1825.	....	....	260	260	272, 275, 290	335
185	A bill for the relief of the grand children of Major General Baron De Kalb.	83	83	252			
187	A bill for the relief of James B. Davenport.	....	....	90	90	110, 114, 116	131
189	A bill for the relief of Elisha Thomasson.	....	....	90	90	94, 95, 100	336
190	A bill for the relief of James P. Sexton and Joshua Holden.	....	....	119, 120	120	200, 230	233
191	A bill to confirm Elizabeth Burriss....	....	....	90	90	110, 114, 116	131
194	A bill for the relief of Simon Roderigues	....	....	90	90	94, 95, 100	
195	A bill for the relief of Marcus Fulton Johnson.	....	....	120	120	131, 138	
196	A bill supplemental to an act approved the 6th day of July, 1842, entitled "An act confirming certain land claims in Louisiana.	....	....	120	120	131, 138	
197	A bill for the relief of the legal representatives of Antonio Pacheco.	138	138	183			
198	A bill for the relief of Joseph Bryan ...	....	...	136	136	139, 153	
200	A bill for the relief of the widow and heirs at law of Silas Duncan, late commandant of the United States navy.	182	188				
202	A bill for the relief of William Blake..	161	166	238			
208	A bill for the relief of the heirs of William Evans.	....	....	78	78	87, 100	
210	A bill for the relief of Hervey Jones...	....	....	327	327	332, 333, 334	337
211	A bill providing for the punishment of false swearing in certain cases.	60	68	100			
213	A bill for the relief of Mrs. Mary B. Renner.	....	....	315			
214	A bill for the relief of Noah A. Phelps.	182	188	210, 253	327	332, 333	337
215	A bill for the relief of Peter Schaffer..	....	....	327	327	332, 334	337
216	A bill for the relief of the legal representatives of Colonel Francis Vigo.	222	225	283			

HOUSE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
230	A bill to increase the pension of Henry Click, of Cocke county, Tenn.	161	166	191			
232	A bill for the relief of the legal representatives of Abraham Hogeboom, deceased.	161	166	267			
235	A bill for the relief of Matthews, Wood, and Hall.	182	188				
242	A bill for the relief of Zachariah Lawrence, of Ohio.	83	84				
248	A bill for the relief of the legal representatives of Bernard Todd, dec'd.	83	84	267			
249	A bill for the relief of the legal representatives of Robert Fulton, dec'd.	....	....	104			
261	A bill for the relief of William Fuller and Charles Savage.	83	84	147	172	184, 208	
270	A bill for the relief of John Percival, captain in the navy of the United States.	....	....	136	136	137, 153, 167, 171	176
272	A bill for the relief of H. Carrington, executor of Paulina Le Grand, deceased.	....	....	327	327	332, 334	337
274	A bill for the relief of William Butler..	....	....	235			
277	A bill granting a pension to John Morrison.	....	....	136	136	139, 153	
279	A bill for the relief of Jesse Washington Jackson.	....	....	327	327	333, 334	337
280	A bill for the relief of James Fugate..	....	....	327	327	332, 334	337
282	A bill for the relief of Lizar B. Canfield	....	....	289	289	296, 303	336
283	A bill for the relief of John Hibbert....	....	....	248	248	251, 284, 261	
285	A bill for the relief John Campbell.....	83	83	214	327	332, 334	337
291	A bill requiring all moneys receivable from customs, and from all other sources, to be paid immediately into the treasury, without abatement or deduction, and for other purposes.	101	282	309	309	315, 316, 332 335	338
295	A bill for the relief of William Harding.	....	....	136	136	139, 153	
306	A bill for the relief of the legal representatives of Captain Samuel Jones, deceased.	83	83	267			
307	A bill for the relief of the legal representatives of Joseph Savage, deceased.	83	83				
308	A bill for the relief of Charles A. Barnitz, husband of Margaret Barnitz, the only surviving heir of Lieutenant Colonel Grier, of the army of the revolution.	83	83	201			
310	A bill for the relief of Sarah D. Caldwell, wife of James H. Brigham.	....	....	119	119	200, 230	233
312	A bill for the relief of the legal representatives of William McFarland, deceased.	83	83				
313	A bill for the relief of John J. Young, a commander in the navy of the United States.	83	84	235	327	332, 334	337
314	A bill for the relief of William M. Blackford, late chargé de affaires to the republic of New Grenada.	....	....	314			

HOUSE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
325	A bill for the relief of Christopher H. Pix, of Texas.	....	....	225			
328	A bill for the relief of John B. Smith and Simeon Darden.	....	....	80	80	110, 114, 116	131
336	A bill for the relief of Joshua Eddy, deceased.	83	83	129, 158			
341	A bill for the relief of Joel Thacker...	....	....	29[illegible]	292	305	336
344	A bill to transfer the towns of Vinal Haven, North Haven, and Islesboro, from the collection district of Penobscot to that of Belfast, in the State of Maine.	247	253	297	297	305	336
347	A bill for the relief of the legal representatives of George W. Milam.	....	....	.....	....	311, 324	
354	A bill for the relief of Dr. Adolphus Wislizenus.	....	....	298	298	311, 324	336
357	A bill for the relief of Isaac Shepard..	....	....	177			
358	A bill for the relief of David Shepard.	156					
359	A bill for the relief of A. C. Bryan and others.	....	....	104	253	261, 290	335
363	A bill for the relief of Captain Dan Drake Henrie.	145	145	145	145	148, 150, 153	
368	A bill to refund to Charles A. Kellett the tonnage duties and light money paid on the Chinese junk Keying.	83	84	91			
378	A bill for the relief of Eliza A. Mellen.	....	....	74	74	87, 100	
379	A bill for the relief of Benjamin Reefsnyder.	....	....	3[illegible]			
385	A bill for the relief of John Savage....	....	....	327	327	332, 334	337
389	A bill for the relief of A. Baudouin and A. D. Robert.	161	166				
396	A bill to establish a branch mint of the United States in the city of New York.	325	327	327			
399	A bill for the relief of the legal representatives of Oliver Lee, deceased	161	166	206			
401	A bill for the relief of Joshua Barney, United States agent.	....	....	296, 304	....	.....	336
403	A bill for the relief of Samuel A. Grier	....	....	313	313	320	337
405	A bill to establish a collection district in New York.	....	....	74, 76	76	110, 114, 116	131
406	A bill to authorize the citizens of Ozark county, Missouri, to enter less than a quarter section of land for the seat of justice in said county.	....	....	312	312	321	337
413	A bill for the relief of the widow of Lieutenant Richard E. Cochran.	....	....	104			
422	A bill for the relief of Elizabeth S. Cobbs.	....	....	290			
426	A bill for the relief of Israel Johnson..	161	166	267			
436	A bill for the relief of the legal owners of the ship James Mitchell.	161	166	234			
438	A bill for the relief of Edward Myers..	160	166	252			
439	A bill for the relief of Lot Davis.....	....	....	235			
441	A bill for the relief of William Gove..	161	166	235			
445	A bill for the relief of Elizabeth Williamson.	162	166	214			
446	A bill for the relief of Sarah White....	162	166				

HOUSE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
447	A bill for the relief of Polly Aldrich ...	162	166	191	327	332	337
449	A bill for the relief of John Wilson....	162	166	214			
450	A bill for the relief of Robert Whittet.	162	166	191			
451	A bill for the relief of Wm. H. Wilson..	....	....	327	327	332	337
453	A bill for the relief of Amos Armstrong.	162	166	214			
454	A bill for the relief of Edward Taylor.	162	166	214			
455	A bill for the relief of Warren Raymond.	162	166	238			
457	A bill for the relief of Philip Miller....	162	166	238			
458	A bill for the relief of Maurice R. Simmons.	....	....	313	313	321	336
461	A bill for the relief of Robert Ramsay.	....	....	327	327	333, 334	337
463	A bill for the relief of Andrew Flanegan	....	....	327	327	332, 334	337
464	A bill for the relief of William Gott...	....	....	297	297	311, 324	336
471	A bill to admit certain articles of the growth or production of Canada into the United States free of duty upon the condition that the like articles of the growth or production of the United States are admitted into Canada free of duty.	...	....	74, 111, 145			
481	A bill for the relief of William P. Yonge.	161	166	210	327	331, 334	337
484	A bill for the relief of Philip J. Fontain.	....	....	74	74	87, 100	
487	A bill to settle the title to certain tracts of land in the State of Arkansas.	326	326	326	326	332, 331	337
493	A bill for the relief of Levi H. Corson	....	....	178	178	200, 230	233
495	A bill for the relief of the heirs of Lieutenant Bartlett Hinds.	161	166				
496	A bill for the relief of the heirs of Captain Nehemiah Stokely, deceased	161	166				
497	A bill for the relief of E. B. Cogswell.	161	166	191	285	287, 303	336
498	A bill for the relief of Jesse Sutton....	161	166	195			
501	A bill for the relief of Henry Miller...	162	166	214			
505	A bill for the relief of Mary W. Thompson.	....	....	328			
507	A bill for the relief of William Tee...	....	....	245			
509	A bill to provide for applications for the renewal of patent rights in certain cases.	268					
510	A bill for the relief of Lowry Williams.	161	166	195	327	332, 334	337
512	A bill for the relief of the legal representatives of Darius Garrason.	161	166				
513	A bill for the relief of Staunton W. Gaar.	161	166	225			
514	A bill for the relief of William Snavely of Indiana.	161	166	206			
517	A bill to confirm the title to section 16 and the west half of section 12, in township No. 3 north, range 16 east, in Seneca county, Ohio.	16.	166	172			
520	A bill to grant the right of way through the public lands in Indiana and Illinois to the Ohio and Mississippi Railroad Company.	....	....	177			
525	A bill to establish an additional land office in the State of Missouri.	239	240	240	240	247, 257, 303	

HOUSE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
526	A bill to grant pre-emption rights for certain islands in the Great Miami river.	247	252				
527	A bill for the relief of Ira T. Horton..	161	166				
528	A bill for the relief of Augustus Ford..	161	166	201			
530	A bill for the relief of James Y. Smith.	161	166	210	217	251, 254, 261	
531	A bill for the relief of James Moorhead.	160	166	235	273	311, 324	336
532	A bill to repeal the fifth, sixth, and seventh clauses of the first section of the "Act in addition to the several acts regulating the shipment and discharge of seamen and the duty of consuls," approved July 20, 1840; and also to amend the "act supplementary to the act concerning consuls and vice consuls, and for the further protection of American seamen," approved February 28, 1803.	239	240				
536	A bill for the relief of the heirs and legal representatives of Capt. Presley Thornton, deceased.	161	166				
538	A bill to provide for the payment of seven years' half pay, due to Sarah Ann Dye, who was the widow of Lieutenant Jonathan Dye, an officer of the army of the United States, and who was killed in the battle of Brandywine.	161	166				
540	A bill for the relief of Abigail Stafford.	161	166				
541	A bill for the relief of Robert B. Mitchell.	160	166	195			
542	A bill for the relief of Josiah P. Pilcher	160	166				
545	A bill for the relief of Polly Dameron, widow of Charles Dameron, dec'd.	162	166	214, 312	312	320	337
546	A bill for the relief of Elizabeth Kinney	162	166	214			
547	A bill for the relief of Mary G. Leverett.	162	166	229	297	297	336
548	A bill for the relief of Mary Buck	162	166	246	327	332, 334	337
549	A bill for the relief of Wm. Whitcher .	162	166	261			
550	A bill for the relief of Francis Tribow..	162	166	191			
551	A bill for the relief of Edward Cole ...	162	166	214			
552	A bill for the relief of Geo. J. Clafflin.	162	166	214			
553	A bill for the relief of Catharine Clark.	....	....	309	309	320	337
554	A bill for the relief of David Towle ...	162	166	214			
555	A bill for the relief of Henry Childs....	162	166	273			
557	A bill for the relief of Isaac Downs....	162	166	191			
558	A bill for the relief of Joseph D. Ward.	162	166	215, 334			
559	A bill for the relief of Giles Landon....	162	166	273			
560	A bill for the relief of Gardner Herring.	162	166	238			
561	A bill for the relief of David Murphy..	162	166	238			
563	A bill for the relief of Samuel Graves..	161	166	235			
566	A bill for the relief of John F. Ohl	161	166	210, 312	312	321	337
567	A bill for the relief of Thos. L. Judge .	161	166		....	332	
568	A bill for the relief of Satterlee Clark .	161	166	329	329		337
569	A bill for the relief of the president and directors of the Union Bank of Fla.	161	161	252, 273	313	321	336
570	A bill for the relief of Lewis H. Bates and William Bacon.	161	156				

HOUSE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
571	A bill for the relief of Wm. Milford....	161	166	216			
574	A bill granting a half section of land for the use of schools within the fractional township 19 south, of range 18 west, county of Lowndes, State of Mississippi.	239	240	246	269	272, 275, 290	336
583	A bill for the relief of Thos. H. Noble.	161	166	210	327	331, 334	337
584	A bill for the relief of John Hewe	161	166				
589	A bill for the relief of Thos. T. Gammage.	182	188	226	226	234, 236, 237	257
594	A bill supplementary to an act entitled "An act to encourage the introduction and promote the cultivation of tropical plants," approved July 7, 1838.	272	274				
607	A bill for the relief of Jacob Boston ...	182	188				
609	A bill for the relief of Eve Boggs	182	188	238	327	331, 334	337
610	A bill for the relief of Hannah Kinney, widow of Amos Kinney, late of the State of New York.	182	188	238			
611	A bill for the relief of Joseph Dana ...	182	188	273			
613	A bill for the relief of Martha Dameron, widow of Christopher Tompkins.	182	188	215, 251			
614	A bill for the relief of Susannah Prentiss.	182	188	238			
615	A bill for the relief of Thomas R. Sanders.	182	188				
616	A bill for the relief of Sylvanus Blodget	182	188	238			
617	A bill for the relief of Aaron Stafford..	182	188	238			
619	A bill for the relief of Hector Perkins..	182	188	238			
620	A bill for the relief of Peter Myers....	182	188	238			
621	A bill for the relief of Captain Alexander McEwen.	182	188	246	305	310, 311, 323	337
622	A bill for the relief of Elizabeth S. Cobbs.	183	188	238	327	333, 334	337
623	A bill for the relief of Mary Ann Pollard.	183	188	273			
624	A bill for the relief of Camfield Averill.	183	188	238			
629	A bill for the relief of John Gawney.	183	188	261			
635	A bill to aid the State of Louisiana in draining swamp lands therein.	257	260	260	260	272, 275, 290	336
645	A bill for the relief of Horatio Fitch.	183	188	261			
646	A bill for the relief of William Lynch.	183	188	261			
648	A bill for the relief of Rebecca Freeman.	183	188	273			
656	A bill for the relief of Wm. Kingsbury.	183	188	216			
659	A bill further to continue in force the acts for the payment of horses and other property lost in the military service of the United States.	92	92	116	284	304, 311, 324	336
662	A bill in addition to an act in relation to military land warrants, approved August 14, 1848.	92	92	118, 123, 129 151, 296			
665	A bill to supply deficiencies in the appropriations for the service of the year ending June 30, 1849.	99	99	113, 123	123	139, 146, 148 150, 153	
677	A bill for the relief of Sidney Flowers, of Louisiana.	183	188	208	313	321	33

HOUSE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
678	A bill for the relief of Amelia Couvillion, of Louisiana.	183	188	206	327	332, 334	337
679	A bill for the relief of John McIntosh.	183	188	261			
680	A bill for the relief of Levi M. Roberts.	183	188	238			
684	A bill to provide for carrying into execution, in part, the 12th article of the treaty with Mexico, concluded at Guadalupe Hidalgo.	233	233	233	233	247, 257, 303	
685	A bill to establish the territorial government of Upper California.	268	273	312	314	316	
686	A bill making appropriations for certain fortifications of the U. States for the year ending June 30, 1850.	207	211	235	286	304, 332, 333	338
691	A bill making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1850.	116	....	134, 162	....	288, 325, 332, 333, 334	338
692	A bill making appropriations for the civil and diplomatic expenses of government for the year ending June 30, 1850.	146	147	182, 208, 211, 223, 227, 231, 237, 241, 255, 257, 262, 269, 270, 275	275	304, 325, 330, 333, 335	338
695	A bill making appropriations for the support of the army for the year ending June 30, 1850.	157	166	195	286	304, 312, 320, 321, 322, 328	338
696	A bill making appropriations for the support of the Military Academy for the year ending June 30, 1850.	166	166	187	192	200, 230	233
697	A bill making appropriations for the payment of revolutionary and other pensions of the United States, for the year ending June 30, 1850.	166	166	186	192	200, 230	233
698	A bill making appropriations for the payment of navy pensions for the year ending June 30, 1850.	166	166	195	285	287, 303	335
699	A bill making appropriations for the naval service for the year ending June 30, 1850.	192	192	235, 298	298	313, 315, 321, 332, 333	338
700	A bill to amend the act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union.	101	105	122	207	305, 312, 321	336
701	A bill to amend an act regulating the district courts of the United States for the State of Alabama.	134	134	147			
704	A bill for the relief of Samuel Perry...	183	188	310			
709	A bill granting the right of pre-emption to Joshua Holden.	183	188	206			
712	A bill for the relief of James Frame...	183	188	238			
723	A bill for the relief of Salsy Darby....	134	131	151	151	167, 171	176
724	A bill for the relief of Charles Wilson.	134	134	152	152	157, 167, 171	176
725	A bill for the relief of B. O. Payne, of Albany, New York.	183	188	210	289	296, 304	335
734	A bill to extend the revenue laws of the United States over the Territory and waters of Upper California, and to create a collection district therein.	247	253	309	327	333, 335	336

HOUSE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
737	A bill for recording the conveyance of vessels, and for other purposes.	326	326				
738	A bill to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels, and the regulations thereof.	326	326	326	326	331, 334	337
739	A bill to abolish imprisonment for debt in certain cases.	326					
741	A bill to reduce the minimum price of the mineral lands in the Lake Superior district, in Michigan, and in the Chippewa district, in Wisconsin.	326					
742	A bill to incorporate the Oak Hill Cemetery, in the District of Columbia.	157	166	187	313	320	336
744	A bill to repeal a provision of "An act to establish certain post routes," approved August 14, 1848.	157	166				
745	A bill to regulate the mileage of members and delegates in Congress, and for other purposes.	247	252				
746	A bill to authorize the coinage of twenty dollar and one dollar gold pieces at the mint of the United States, and its branches.	233	234	246, 310	310	317, 321	337
747	A bill to provide for the settlement of the accounts of public officers and others, who may have received moneys arising from military contributions or otherwise, in Mexico.	282	287	310	310	320	336
752	A bill for the relief of Stoughton A. Fletcher.	282	287	314			
754	A bill making appropriations for the service of the Post Office Department, for the year ending the 30th of June, 1850.	257	261	267, 300	300	310, 321	336
759	A bill for the relief of Charles McLane, of Missouri.	200	207	229	327	331, 334	337
764	A bill to establish the Home Department, and to provide for the Treasury Department an assistant Secretary of the Treasury, and a Commissioner of the Customs.	221	225	315, 317	328	328	338
765	A bill granting five years' half pay to certain widows and orphans, &c. (See No. 766.)						
766	A bill granting five years' half pay to certain widows and orphans, &c. (See No. 776.)						
772	A bill for the relief of Jacob Zimmerman.	239	240	273			
773	A bill for the relief of Major Charles Larrabee.	239	240	282	305	310, 311, 323	337
776	A bill granting five years' half pay to certain widows and orphans of officers, non-commissioned officers, musicians, and privates, both regulars and volunteers.	210	210	211, 218	218	234, 236, 237	257
779	A bill for the relief of James Norris ... (*Amended—see page* 326.)	326	326	326	326	328, 333, 334	337

SENATE BILLS—Continued.

Number.	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
780	A bill for the relief of Daniel Wilson...	326	326	326	326	332, 333	337
786	A bill to require the heads of bureaus and other officers at the seat of government, in examining and deciding upon claims arising out of the late war with Mexico, to give preferences and priority, in such examination, to those belonging to and preferred by widows and orphans or their authorized agents.	233	234	254			
791	A bill declaring Fort Covington, in the State of New York, to be a port of delivery, and for other purposes.	251	257	297	297	305	336
792	A bill exempting Spanish vessels from discriminating duties in certain cases.	251	257	284			
795	A bill for the relief of Solomon Davis..	268	273	273	273	285, 290	336
797	A bill in relation to the Fox and Wisconsin river reservation, in the State of Wisconsin.	268	273	279	297	287, 303	336
799	A bill for the benefit of Peter M. Grant	272	274	274	274	285, 290	336
802	A bill for the relief of the citizens of Cedar Bluff, in the State of Alabama, and for other purposes.	275	280	285	285	296, 304	335
803	A bill to remit the duties upon certain goods destroyed by fire in the city of New York.	275	280	292			
804	A bill concerning the selection of jurors in certain courts of the United States.	275	280	296	296	305	336
805	A bill to authorize the judge of the courts of the United States, of the fifth circuit, to hold the circuit court for the district of Kentucky.	275	280	292	292	305	336
813	A bill making arrangements for taking the seventh census.	282	287	293	315	329, 333, 334	338

RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.

Number	Title.	Received from the House.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
6	Resolution for the relief of J. Melville Gilliss and others.	....	....	219	219	234, 237, 238	
7	Resolution for the relief of George R. Smith.	....	....	327	327	331, 334	338
14	Resolution concerning the settlement of the accounts of William Speiden, purser in the navy of the U. States.	....	....	219	219	234, 236, 237, 259, 261	257
18	Resolution for the relief of H. M. Barney.	....	....	219	219	234, 236, 237	257
20	Resolution for the relief of Samuel T. Anderson.	83	84	110, 112, 138, 170			
43	Resolution for the distribution of the Official Register or Blue Book among the several States.	240	240	256	256	261, 290	338
47	Resolution for the purchase of copies of the General Naval Register and Laws.	132 221	132	134, 225	329	332, 334	338
48	Resolution authorizing the Secretary of the Treasury to cancel certain bonds for duties on goods destroyed by fire while in the public store at Norfolk, Virginia.	157	162				
49	Resolution authorizing the Secretary of State to increase the number of copies of the Laws of Congress annually distributed to the several States and Territories.	200	207	239			
50	Resolution for the relief of John B. Nevitt, of Adams county, Mississippi.	200	207	207	207	234, 236, 237	257
51	Resolution for the relief of the pursers in the navy, as to expenditures made in pursuance of orders during the war with Mexico.	200	207	235	274	311, 323	338
52	Resolution relative to evidence in applications for pensions by widows of deceased soldiers, under the act of July 21, 1848.	211	211	235, 313	313	321	338
53	Resolution authorizing the settlement of the accounts of Thomas M. Howe, late pension agent at Pittsburg, upon equitable principles.	217	225	225	225	236	257
54	Resolution directing that the government of Russia be supplied with certain volumes of the Narrative of the Exploring Expedition, in lieu of those which were lost at sea.	227	229	249	249	285, 289	338
55	Resolution authorizing the distribution of the "American Archives," under the direction of the Joint Committee on the Library, to literary institutions in the several States and Territories.	240	240	284	284		
57	Resolution in relation to foreign officers or seamen who shall render relief to American vessels in distress.	259	259	297			

HOUSE RESOLUTIONS—Continued.

Number.	Title.	Received from the house.	First reading.	Proceedings before passage.	Passed Senate.	Other proceedings.	Approved.
58	Resolution authorizing the Secretary of the Senate and Clerk of the House of Representatives to subscribe for certain debates and proceedings of Congress.	272	274	296	296	305	338
61*	Resolution authorizing the Secretary of the Senate and Clerk of the House of Representatives to subscribe for a thousand copies of a further publication of the debates and proceedings of Congress, and for other purposes.	282	287	287	292		
61*	Resolution granting to the Secretary of the Treasury further time to make the report concerning the sale and entry of certain lands in Cincinnati.	....	....	308	312	321	338

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